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HISTORICAL RECORDS  
OF  
NEW SOUTH WALES.

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BLIGH AND MACQUARIE.

1809, 1810, 1811.



# HISTORICAL RECORDS

OF

## NEW SOUTH WALES.

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VOL. VII.—BLIGH AND MACQUARIE.

1809, 1810, 1811.

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EDITED BY  
F. M. BLADEN, F.R.G.S., F.R.H.S.,  
BARRISTER-AT-LAW.

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## PREFACE TO VOL. I.

BY THE LATE ALEXANDER BRITTON.

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THE HISTORICAL RECORDS OF NEW SOUTH WALES are published with the object of affording the fullest information obtainable concerning the foundation, progress, and government of the mother colony of Australia. It was with a similar purpose that the publication was commenced, some years ago, of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS. All the material that the Government could command was placed at the disposal of the author of Vol. I—Mr. G. B. Barton—by whom this store of information was largely drawn upon. But when Vol. II of the HISTORY was in course of preparation it was considered desirable to make a change in the plan. It was determined that while the publication of the HISTORY should go on, the Records themselves, with the exception of those that were trivial or formal, should be printed in full, in separate volumes, so that the public might have, on the one hand, a historical work founded on official documents, and on the other, the material upon which the narrative had been based.

The adoption of this course serves a double purpose. In the first place, it enhances the value of the HISTORY, for it enables the reader to turn at any point from the narrative of the writer to the fuller information which the reports and despatches supply. The advantage gained by this treatment of the official papers is obvious. No matter how faithfully a writer of history may

perform his task, he cannot cover all the ground; no matter how acutely he may criticise the actors who take part in the scenes he describes, he cannot exhibit them in so clear a light as they are shown in their own writings. Thus the publication of the Records may be regarded as desirable from the historical point of view.

In the second place, the printing of the Records gives immediate and lasting public value to State Papers which would otherwise be of service to the few—only those, in fact, who have leisure to search the bulky manuscripts which have been collected by the Government. In the absence of printed records, the inquirer who endeavours to learn in what manner New South Wales was founded—how the settlement was governed in the early days—by what steps it grew—how difficulties were encountered and overcome—what mistakes were made, and how they were corrected—by whom injustice was perpetrated, and in what way retribution fell upon the oppressor—can command no better sources of information than tradition, and the accounts of writers who had to make history from insufficient material. The publication of these Records will place at his disposal the best possible material, and enable him to draw his own conclusions from direct testimony.

It is not entirely a new departure that has been taken. The importance of preserving and reproducing national records is recognised in most civilised countries; especially in Great Britain. In earlier times, when Ministers of the Crown treated official despatches as their private property, and on quitting office carried to their own houses manuscripts which belonged to the nation, little care was taken of the Records, and such a thing as giving information to the public concerning them does not appear to have had any place in the minds of those in authority. This indifference no longer exists. All public documents are carefully preserved; inventories of them are taken, and they are accurately described in printed calendars. With a few exceptions, the State Papers of the United Kingdom are gathered together in one place—the Public Record Office, London—and are kept in the custody of the Master of the Rolls, who by the Public Records

Act (1 and 2 Vict., c. 94) is constituted Keeper of the Archives.\* These stores of information are not simply hoarded up—they are treated in such a way as to be of general use, and to bring within easy reach of the historian the documentary evidence that he requires. Large volumes, entitled “Calendars of State Papers,” consisting of condensations of the documents in the Public Record Office and elsewhere from the days of Henry VIII to the Eighteenth Century, are in course of publication, while some of the earlier Records are printed in full.

In Canada the Records are scrupulously kept, and their contents disclosed for the information of the public. In 1872 the Dominion Government appointed an Archivist, and founded an Archives Office at Ottawa, where all the public records, with the exception of those retained by the provincial authorities, are stored. The papers consist partly of original documents, and partly of copies of old despatches and other manuscripts transcribed by a staff of writers from originals discovered by the Archivist in the London Record Office and Departments of State, and in the archives of Paris and other European cities. From time to time reports are issued in which the Records are described, and when considered necessary, printed in full. In this manner the public is placed in possession of information of the highest interest and importance relating to the early history of Canada which had never before seen the light.

In New South Wales, owing to the shorter period of time, and the smaller quantity of material to be dealt with, it is possible to do what would be impracticable under other circumstances, that is to say, to publish in full the Records of the Colony from its foundation. It has also been decided to publish all available correspondence concerning Captain Cook and his connection with Australian discovery. The Cook Papers form Part 1 of Vol. I. Part 2 of Vol. I contains the Records relating to the establishment of the Colony and its progress under Governor Phillip.

\* With the exception of certain manuscripts in the British Museum and a few public libraries, most of the public muniments of the realm are now placed in one repository, and under the supervision of the Master of the Rolls.—*Encyclopædia Britannica*, ninth edition, vol. xx, p. 313.

When the settlement at Port Jackson was established the chief authority was vested in the Governor, who not only governed the Colony, but administered its affairs. The civil business was conducted nominally by a staff, but much of the work fell upon the Governor, who had to deal with matters which would be settled in the present day by an ordinary clerk. He was also at the head of the naval and military forces, and was the principal, it may almost be said the only, channel of communication between the Colonial Government and the English authorities. The reasons which led the English Government to plant a convict settlement in New South Wales are only briefly indicated in the scanty papers discovered in the State Departments; but when the Colony had been established, its affairs formed the subject of periodical letters from the Governors, who wrote fully about the concerns of the settlement, receiving in reply despatches for their guidance and instruction. Most of this correspondence has been preserved in the English Departments of State, either in the original or in official copies; and is of considerable interest. The despatches are full of information. The Governors were required by their Instructions to keep the Home authorities well informed about matters great and small; and, in the despatches sent to London, almost every transaction that took place is minutely described. More than this, copies of all the Proclamations and Orders, issued by the Governor and the military commander, were forwarded for the information of the English authorities. These documents are recorded with the other State Papers.

The history of the early years of New South Wales is founded mainly upon the despatches sent by the Governors to the authorities in England, and the despatches received by them in reply. The Records are comprised within measurable bounds, and as they are the chief material out of which history must be made, it has been decided to print them as they stand.

This course has been adopted on the recommendation of a Board, consisting of the late Hon. Geoffrey Eagar, Under Secretary for Finance and Trade from 1872 to 1891; Alexander Oliver, M.A., President of the Land Appeal Court, and formerly the Parliamentary Draftsman; Professor G. Arnold Wood, B.A.,

Challis Professor of History at the Sydney University ; and R. C. Walker, Principal Librarian, Public Library. The Board having ascertained the nature of the documents at the disposal of the Government, came to the conclusion that the design with which the publication of the Official History was commenced could not be fully carried out unless the State Papers and other official documents upon which the work was based were made as accessible to the public as the History itself. They therefore recommended, in the month of March, 1891, that the publication of the Records was not only desirable but necessary. The proposal received the approval of the then Colonial Treasurer, the Hon. William McMillan, who gave the necessary authority to carry out the work, on the lines recommended by the Board. Arrangements were made, accordingly, for printing and publishing the despatches, reports, letters and other papers which had been collected.

While the best use has been made of the material at command, the Records of the early days of the Colony cannot be presented in an absolutely complete form. Every paper of consequence that has been discovered, or may be discovered hereafter, will be published ; but unfortunately manuscripts of great interest and importance, which are known to have existed, cannot now be found. The most valuable of the early Records are the despatches sent to England by the Governors, and the despatches received by the Governors from the authorities in London. At Government House, Sydney, there are a number of letter-books containing copies of the despatches sent to England, and the original despatches received from the Home authorities ; but these Records, instead of going back to 1788, the year in which New South Wales was founded, begin with 1800. Of the despatches received and sent before that date, during the Governorships of Phillip and Hunter, and the Lieutenant-Governorships of Grose and Paterson, there is no trace. What has become of them it is impossible to say. A hundred years ago State Papers were not so carefully guarded as they are now ; the English system was loose, and it would have been surprising if greater care had been taken<sup>3</sup> in Sydney than in London. Some of the early Australian Governors

may have taken their papers with them when they left office. On that supposition the disappearance of the despatches from 1788 to 1800 is readily explained ; but even then the whole case is not met, for public Records of which the Governors were not the custodians are also missing.

There are circumstances, however, which discourage the view that Governors' despatches in the early days were treated as the property of those to whom they were sent. It is certain that they were not so treated by Governor King, and there seems to be no reason why Phillip and Hunter, Grose and Paterson, should have followed a different practice. We have the means of knowing exactly the course pursued by Hunter's immediate successor. The Hon. Philip Gidley King, M.L.C., has placed at the disposal of the Government the books and papers left by his grandfather, Governor King ; but, while these manuscripts include copies of most, if not all, of the despatches received by King from the English Ministers and Under-Secretaries of State, no originals are to be found. The despatches have been copied into letter-books, some by King himself, some by his secretary ; but, while many unofficial letters to King are among the papers, the originals of the Home despatches are wanting. The inference is plain. If King had at any time regarded the English despatches as his own property, he would not have gone to the trouble of copying them, and the originals would have been found among his papers. He was exceedingly careful about his correspondence, preserving communications of all kinds, whether trivial or important, but duplicating nothing. When an original document is met with there is no copy. And the manuscripts at Government House show that when King relinquished the government he left the originals of the English despatches in the office. If in doing so he acted in accordance with the recognised practice, the presumption is that his predecessors—Governors Phillip and Hunter, and Lieutenant-Governors Grose and Paterson—treated in the same way the despatches received by them.

What then has become of these manuscripts ? Most probably they have been destroyed ; but by whom, or with what object, can only be conjectured. That the missing despatches met with

this fate is the more likely from the fact previously stated—that public Records of corresponding dates, for which the Governors were not responsible, have also disappeared. A strong-room in the Colonial Secretary's Office, Sydney, contains all the original Records of New South Wales that can be found in the Colony. These papers have been examined and scheduled, and it may be seen at a glance of what they consist. They begin with a General Order, dated 7th August, 1789, "Instructions to the Night Watch." Two other Orders of no particular importance follow, and these are all out of the many hundreds issued during Phillip's Governorship that appear to have been preserved. There is only one official paper of the time in which Lieutenant-Governor Grose ruled—December, 1792, to December, 1794; and none whatever belonging to the administration of Lieutenant-Governor Paterson—December, 1794, to September, 1795. Hunter's Governorship, which covered more than five years—11th September, 1795, to 27th September, 1800—is represented by one book containing copies of the Orders made from September, 1795, to December, 1797, and five or six papers of minor importance. Papers belonging to the King period, 1800 to 1806, are more numerous; but the Records are scanty and intermittent until the term of Governor Macquarie is reached—January, 1810. No despatches to or from any of the Governors or Lieutenant-Governors have been preserved in this Office. The only manuscripts of this class in Sydney are preserved at Government House.

The Records, so far as Sydney is concerned, are thus defective in two respects. In the first place, the despatches from the foundation of the Colony up to the beginning of 1800 are wanting; in the second place, the Orders, Proclamations, and other official papers showing how authority was exercised in the early days are found only in fragments—in fact, they can scarcely be said to exist.

But for the active search made in London by Mr. James Bonwick, F.R.G.S., the early Records of New South Wales would have been little better than a blank. The despatches sent to England by the Governors, as well as the despatches and letters transmitted to them, have been preserved, if not as

completely as could have been wished, yet to a very large extent, in the Departments of State. These departments have been thrown open to the Government, and the transcriptions that have been made repair, so far as it can be repaired, the loss of the early Colonial Records.

The examination of these valuable sources of information was commenced in April, 1887, when the then Colonial Secretary, Sir Henry Parkes, through the Agent-General, authorized Mr. Bonwick to make copies of certain despatches which he had discovered. In the following year, in view of the publication of the *HISTORY OF NEW SOUTH WALES FROM THE RECORDS*, authority was given for the transcription of documents relating to the period during which Governor Phillip was at the head of affairs, *i.e.*, 1788-1792. The information obtained in this way proved so interesting and valuable that Mr. Bonwick was instructed to continue his researches among the early Records of the Colony, and the work has since gone on without interruption. The manuscript Records were not readily accessible; they had to be gathered from many departments. The Governors in the early days were not only responsible to the Home Office, but, as naval officers, they also owed allegiance to the Admiralty, consequently they had to correspond with the Home Secretary and the Lords Commissioners of the Admiralty, and with the Under-Secretaries of those departments. Each department and sub-department kept two letter-books, one for the Minister and the other for the Under-Secretary, so that it was necessary to examine four different sources of information for the purpose of discovering what had passed between the Governors and the English authorities.

In dealing with the Records belonging to a still earlier period—that in which the establishment of a settlement in New South Wales was discussed—the ground to be covered was wider still, though not so productive. In making preparations for the despatch of the First Fleet many departments and sub-departments were engaged—the Home Office, which had general direction of the business; the Admiralty, which undertook the equipment and officering of the ships, and the appointment of the force of marines which guarded the transports and formed the garrison at Port

Jackson; the Treasury, which made the financial arrangements; the Transport Office, which had to do with the convict-ships; and the Victualling Department, which provisioned the fleet. When the marines were replaced by the special corps raised by Major Grose, known afterwards as the New South Wales Corps, another Department of State, that of War, was brought into operation; and, accordingly, correspondence between that Department and the Home Office, and between the officials at the War Office and the officers of the Corps, took its place amongst the Records. Three of the transports which, with the warship *Sirius* and its tender the *Supply*, constituted the First Fleet, were under charter to the East India Company to take cargoes of tea from China to London, after landing convicts and stores at Port Jackson; and, at a subsequent stage, the Company, in its opposition to Australian trade with the East, figured largely in the official correspondence relating to New South Wales. The Records of the India Office are therefore another source of information.

The transcripts which have been despatched to Sydney are thus gathered from a wide field, embracing as it does the Public Record Office, the British Museum, the Home Office, the Colonial Office, the War Office, the Privy Council Office, the Admiralty, the India Office, and Somerset House. The documents had to be searched for, and the work was not without difficulty, owing to the imperfect and unsystematic way in which official records were kept in the early days. Some documents—the earlier Orders and Proclamations, for example—cannot be found at all; others, which were believed to be missing, such as the Commissions of the early Governors, have been discovered in the Home Office, after a patient search, in which valuable assistance was given by the officers of the department. A number of the despatches copied by the transcribers in London escaped notice in the first instance because they had been placed amongst papers relating to the American colonies.

While the principal storehouse of facts concerning the early days of the Colony is the Public Record Office and the Departments of State in London, information has been obtained from other sources. Six years ago the Agent-General, Sir Saul

Samuel, acting under instructions from the Government at Sydney, purchased from Lord Brabourne a valuable collection of papers relating to the settlement of New South Wales. They were once known as "The Brabourne Papers"; they are now known as "The Banks Papers." The grandfather of the present Lord Brabourne was related to Sir Joseph Banks, and, in that way, the papers came into the possession of the Brabourne family. Sir Joseph Banks, as pointed out in Vol. I of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS, took an active part in the consultations and negotiations which led to the settlement of the Colony; and there can be no doubt that his representations, founded upon what he saw of the country during his visit to Botany Bay with Captain Cook in the Endeavour, did a great deal towards bringing about the settlement of New South Wales. After the Colony had been established he watched its fortunes with a parental eye, and the deep interest which he took in its welfare is shown by the correspondence that has come, through Lord Brabourne, into the possession of the Government of New South Wales. These manuscripts are apparently only a part of the papers that Sir Joseph kept with regard to this Colony. The "Banks Papers" were discovered by accident in Sir Joseph Banks's old house in Soho Square, but these manuscripts are only a portion of the correspondence which Sir Joseph had with English Ministers, and with Australian Governors, settlers, and explorers. Many of his manuscripts relating to Australian affairs have been lost or destroyed. The papers begin with four letters from Captain Cook (originals), and go up to 1814, six years before Sir Joseph's death. The absence of letters to or from Phillip, with whom Sir Joseph Banks corresponded, the fact that there are no manuscripts of later date than 1814, and other considerations, indicate that the collection, precious as it is, is only the remnant of a large store of papers relating to the foundation and settlement of New South Wales.

The manuscripts of Governor King, referred to on page x, which have been lent to the Government by the Hon. Philip Gidley King, M.L.C., are extensive and important. They consist of a Journal, in two volumes, kept partly on board the

Sirius\* on the voyage from England to Botany Bay with the First Fleet of Transports, and partly at Norfolk Island, where King acted as Commandant and Superintendent from March, 1788,; to March, 1790, under a Commission issued by Phillip as Governor of New South Wales and its Dependencies; a letter-book, containing copies of despatches received and sent both during King's term as Commandant and during his subsequent command as Lieutenant-Governor, under Commission from the Crown, from November, 1791, to October, 1796; four letter-books, kept during his term as Governor of New South Wales, from September, 1800, to August, 1806; and original letters and despatches, extending from 1799 to 1811. It should be pointed out with regard to the despatches recorded in the letter-books that King during his first term at Norfolk Island corresponded with Governor Phillip, from whom he derived his authority; while during his Lieutenant-Governorship at Norfolk Island and his Governorship at Sydney he was in direct communication with the Home Office and other Departments of State in England. While acting as Lieutenant-Governor of Norfolk Island, from November, 1791, to October, 1796, King wrote a Second Journal, a copy of which is amongst the transcripts sent from England to the Government in Sydney.

As the papers given in these volumes form the basis of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS, which is published concurrently, they are presented without comment, and without any attempt to explain the story they tell. The proper place for description, analysis, and comment is the History itself. The Records are given here as they were found, and they speak for themselves. Where it has been considered necessary to explain the relation of papers to each other, or to give information concerning persons and places, as an aid to the reader in studying the Records, the Editor has written the necessary notes, which are printed at the foot of the page, but no alteration of the text has been made in any case. Errors of composition and spelling are allowed to go without correction; in a word, the Records as printed are literal transcripts of the originals. This is the plan

\* King came out to New South Wales as Second Lieutenant of the Sirius.

now generally adopted in the reproduction of manuscripts; indeed no other course could be pursued without mutilating the originals. The papers are arranged in chronological order, except where a despatch of a given date contains enclosures of earlier dates; and a comprehensive Index is given with each volume.

It will be noticed in examining the Records from 1783 to 1789 that duplicates are given of some of the documents printed in Vol. I of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS. It was impossible to avoid this repetition. The Records stand by themselves, and they must be given intact. For this reason, the documents published in Vol. I of the History have been reprinted; in future issues, however, repetitions will not occur. In the Historical Records will be found the full text of the papers; in the History they will be digested and explained. The writer of Vol. I made such use of the manuscripts as the space at his disposal allowed; the broader plan now adopted gives the facts in one set of volumes and the historical narrative in another. In this way the full Records will appear in print, while the History will not be burdened by long extracts and quotations. It is believed that by the adoption of this course the convenience of the reader will be consulted, and the object which the Government has in view carried into effect.

ALEXANDER BRITTON.

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## INTRODUCTION.

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By circumstances entirely beyond the Editor's control, the appearance of vol. vii has been considerably delayed. The volume covers the administration of Lieutenant-Governor Paterson and the opening years of Governor Macquarie's term of office. The arrest of Governor Bligh and the administration of the usurped Government by the military officers, Johnston and Foveaux, under the self-assumed title of Lieutenant-Governor, has been dealt with in the preceding volume.

Bligh was arrested in January, 1808, and the news reached England in September. At that time Great Britain, and, in fact, the whole of the civilised world, was so engrossed in the triumphal progress of Napoleon, and the opening scenes of the great Peninsula War, that the affairs of a distant convict settlement attracted no attention. After the uproar which followed the Convention of Cintra had subsided, the British Government began to look about for a suitable man to re-establish order in New South Wales. It is easy to understand that Viscount Castlereagh, filling as he did the dual position of Minister for War and the Colonies, would lean to the appointment of a military man. The experiment of appointing sea captains had not been successful. Phillip, Hunter, King, and Bligh (all sea captains) had found it impossible to live on amicable terms with the military. Castlereagh's selection fell upon Brigadier-General Nightingall, then fresh returned from the Peninsula, where he had served with distinction under Sir Arthur Wellesley. At the same time the 73rd Regiment, then quartered in Scotland, was ordered to hold itself in readiness to embark for the colony to relieve the old New South Wales Corps; and orders were given that in future the returning Corps should be known as the 102nd.

Before the arrangements for his departure were completed Nightingall fell ill, and the Governorship was conferred upon Lachlan Macquarie, then Lieutenant-Colonel of the 73rd Regiment.

While these events were happening in England, Lieutenant-Governor Paterson had arrived at Sydney from Port Dalrymple and taken over the command from Lieutenant-Colonel Foveaux.

If Paterson thought that he would find Bligh resigned to his lot, and that he himself would only have the perfunctory mission of holding office until orders were received from England, he was sadly mistaken. Immediately after his arrival a fresh cause of trouble arose. Bligh refused to relinquish his authority over the captains of the men-of-war. He warned the captain of H.M.S. Porpoise that he was to obey no orders but his. Paterson threatened to use force and send Bligh Home, under arrest, in an outgoing merchant vessel of 500 tons burden. In the meantime he confined him in a barrack.

The subsequent negotiations were conducted on Paterson's behalf by Johnston and Abbott. Bligh tells us (p. 173) that these two officers had not seen him since the memorable 26th January, 1808, when the arrest was made. It is evident from this that all communications were made by letter. We can imagine the awkward state of affairs at Sydney during the whole of the year 1808: the Governor confined to Government House, with its small grounds, at the top of Bridge-street, sentinels at the gates and doors; the head quarters of the usurping Government on the opposite side of the small Tank Stream; the two buildings are within hail of each other, but the only communications which pass are frigidly formal, official notes; the principals never see one another; Bligh keeps mostly indoors; the portraits of George III and Catherine, in the drawing-room, are veiled, and Bligh chafes as he hears the repeated "All's well!" of the sentinels without. It was under such circumstances that Johnston and Abbott waited on him on 30th January, 1809 (the anniversary, as Bligh grandiloquently remarked, of the martyrdom of King Charles). According to the Governor's account, it took Johnston and Abbott "some time to recover themselves from the effect of first seeing me." The recovery, however, when once made, was

very complete, for they unceremoniously marched Bligh off, and confined him in a subaltern's barrack.\* Bligh's account of his treatment on this occasion is unique. He describes at length the indignities heaped upon himself and his daughter by "as presumptuous a set of rebels as ever existed"; the mental strain involved in counteracting the machinations of the enemy, "whose minds are replete with every art and dissimulation," and his daily apprehension that the food supplied to him might be poisoned.

Eventually a compromise was arranged. Bligh undertook to quit the colony in the Porpoise, and pledged his word of honour as an officer and a gentleman to proceed to England as quickly as possible, not touching at any port in the territory. He further agreed not to interfere in the Government of the colony on any pretence whatever. Paterson, on his part, agreed to allow Bligh to have the Porpoise, to remove all restraints on his liberty, to permit him to communicate with his friends and supporters, and to take Home to England, with him, any persons he desired.

This agreement had not been in force a fortnight before it was broken—first by Paterson, then by Bligh. Paterson refused to allow any one to go with Bligh, except his daughter, his secretary, and a few domestics; and Bligh, on his part, utterly disregarded his promise to sail direct for England.

Bligh seems to have had no difficulty in reconciling his breach of the pledge of honour, to his conscience. He regarded the fulfilment thereof—so he told Viscount Castlereagh—as "contrary to all political, moral, or religious precepts, and the duty I owed to my King" (p. 175). At the Court-Martial on Johnston he seemed rather proud of his action in this particular. To him the military officers were unscrupulous usurpers, and he was justified in resorting to any expedient. The pledge of honour of a British officer, and a gentleman, is one which Bligh's friends would rather have seen him hold sacred, at whatever cost.† Fulton (p. 87)

\* Bligh and his adherents stated that it was a subaltern's barrack, the subaltern being J. Finucane, Foveaux's secretary. Johnston, on his trial, stated that this was wrong; according to him, it was the surgeon's.

† The extent to which the *suggestio falsi* was countenanced in the Navy a century ago is instanced by Paley's assertion that it was the custom of English ships to decoy an enemy into their power by counterfeiting signals of distress.—*Mor. and Nat. Phil.*, p. 52.

tells us that Bligh thought that the good of His Majesty's service was not to be sacrificed by keeping faith with rebels. Bligh himself tells us (p. 110): "I then, by stratagem, got command of my ship."

In accordance with this agreement, orders were given for the Porpoise to be prepared and provisioned for the voyage to Europe, and the deposed Governor was permitted to go on board—a free man. Having procured the command of the Porpoise, Bligh drew up a proclamation, dated 12th March, 1809, declaring the Corps to be in a state of mutiny, and forbidding the masters of vessels taking any of the persons connected with the rebellion out of the colony. Copies of the proclamation were made secretly, and when Bligh sailed he left them behind him to be circulated by his adherents. Although the wind was fair, he hovered about the coast between Port Stephens and Broken Bay for several days, and then made sail for the Derwent, his object, apparently, being to intercept, and take prisoners, Johnston and Macarthur, who were on the eve of embarking for England. When he arrived at Hobart on 31st March he found Collins prepared to pay him all the respect due to the Governor and Commander-in-Chief. Collins's communications were addressed to "His Excellency Governor Bligh," and the customary formalities were at first punctiliously observed. Bligh, it would appear, had, in a way, undertaken not to interfere in the internal government of the settlement. Such was the state of affairs when the *Æolus* arrived at Hobart Town with a proclamation\* by Lieutenant-Governor Paterson, forbidding any communication being held with Bligh, his family, or establishment, or with any person on the Porpoise known to be in his confidence or service. Collins, who had desired to be friendly with both parties, was forced to declare for one side or the other. After consulting his officers he decided to obey Paterson's orders, and had the proclamation ostracising Bligh read in church by the chaplain (Rev. Robert Knopwood) at a time when the officers of the Porpoise were attending Divine service. Bligh withdrew to his ship, and all friendly communications with the shore ceased. The weapons with which the fray between Bligh and his opponents was waged were proclamations and general orders. When Bligh read Paterson's proclamation he immediately replied with a

\* Post, p. 81.

counterblast, in which he warned all and sundry of the consequences they might expect if they opposed or defied him. He recited his authority to "vanquish, apprehend, take, and put to death" all "enemies, pirates, and rebels," this lengthy and high-sounding document will be found printed on pages 108 and 110. Bligh forwarded a copy to Collins, and requested him to have it printed, a dilemma from which Collins was rescued by some contrivacious busybody who successfully concealed the small stock of printing ink. Bligh then requested Collins to assemble the inhabitants at the bell, and cause the proclamation to be read to them. Collins declined to comply, at the same time assuring Bligh of his unabated respect. For six months the same sort of official bickerings were indulged in as had prevailed at Sydney. This continued until the news of Macquarie's arrival was received, when Bligh hastened in high spirits to Sydney.

As the death of Colonel Collins occurred a few weeks after Bligh's departure, some allusion may be made here to the part he played in the birth of these colonies. He accompanied Governor Phillip, in the capacity of Judge-Advocate, when the colony was founded, remaining until the year 1796. His name will always be familiar to Australians by reason of his *Account of the English Colony in New South Wales*, the first volume of which was published in 1798. In this he narrates with great fidelity the daily occurrences at Sydney during the years 1788-1796. A second volume was published in 1802, and covers the years 1797-1800. During this period Collins was in England. The materials were supplied to him by some one on the spot—probably by Governor Hunter. Neither volume has any claim to literary excellence or style, but they are invaluable to the student of history for the minuteness and care with which the smallest detail is related.

Shortly after the appearance of his second volume Collins was commissioned by the Government to found a settlement in Port Phillip. He was sent out with a small establishment, and reached Port Phillip in safety, but decided, after a cursory examination of the country, that it was unsuitable for settlement. He reshipped his forces and sailed for the Derwent, where a small settlement had been previously established by Lieutenant Bowen.

It is remarkable that while Collins left a most minute and accurate account of the transactions of the eight years during which he resided at Sydney, he was silent concerning the events associated with the birth of Tasmania. The knowledge we have of his life at Hobart comes from other sources. With a small staff of military officers, and a few ex-convicts as superintendents, he had to control a particularly unruly set of men. Encouraged by the ease with which life could be sustained in the bush, a number of these absconded. Bligh tells us that when he was at Hobart, as many as sixty of these bushrangers (as they were called even at that early period) were reported to be at large. They were then increasing in number throughout the country, some of them being well armed. For many years after Collins's death, large numbers of these freebooters succeeded in defying the law and terrorising the out-settlements. There can be little doubt that many of the convict population sympathised with and assisted these men, and that they retarded the progress of the colony much more than is generally supposed. With the exception of the Chaplain—the Rev. Robert Knopwood—Collins does not appear to have been supported by officers of even moderate ability. This is the more noticeable as he himself was not a man born to command. His relations with Bligh show him to be entirely devoid of firmness and self-reliance, and the little knowledge we have of his administrative capacity does not suggest that his lack of firmness was counterbalanced by an excess of discretion. Collins died suddenly, sitting in his chair at Government House,\* on 24th March, 1810. Notwithstanding his long period of service he died a poor man. His widow was left almost penniless. A pathetic letter and a petition by her will be found on pp. 536–9.

Colonel Collins was succeeded by Major Thomas Davey, who had accompanied Governor Phillip in the First Fleet as a Lieutenant of Marines. He appears to have been devoid of one single qualification for the post of Lieutenant-Governor. His letters† show him to have been capable of the most cringing

\* Government House, Hobart, in those days was thus described by Bligh:—  
 “A poor, miserable shell with three rooms, the walls a brick thick, and neither wind nor weather proof.”

† *Post*, pp. 462, 572, 585.

obsequiousness. When he left England he was involved in financial difficulties. His conduct on landing at Hobart was not calculated to impress the inhabitants with any respect for himself or his office. His bearing to his officers was alternately one of querulous reproach or of wild conviviality.

The treatment which some of the settlers who were known to be attached to Bligh met with at the hands of the military officers after Bligh's arrest was infamous, particularly after the arrival of Foveaux. Their agricultural convict-servants and their cattle were taken from them, they themselves were thrown into prison and fined, and their families and crops were left unprotected in the distant out-settlements, at the tender mercies of the natives, and the still more dangerous convict marauders. [See Suttor's case, post, pp. 1 and 21; Arndell's case, p. 19; the settlers' petition, p. 79; and Mason's case, p. 91.]

Shortly after Bligh sailed for Hobart in H.M.S. Porpoise, Lieutenant-Colonel Johnston and John Macarthur left Sydney in the Admiral Gambier, bound for England, *viâ* Rio de Janeiro. They were under the impression that Bligh had sailed for England, and hoped to forestall him. Paterson gave them a letter to the British Ambassador at Rio, to the effect that he had ordered them to England for the purpose of explaining to His Majesty's Ministers the circumstances connected with the arrest of Governor Bligh. For some months prior to their departure from Sydney, Macarthur was very much less conspicuous than he had been at the arrest of Bligh and the events consequent thereon. When Foveaux superseded Johnston, Macarthur's occupation was gone. It was very fortunate for Macarthur that he had left Sydney when Macquarie arrived. His bold step, in sailing for England to fight Bligh in the law courts, turned out to be the best thing he could have done. Had he been at Sydney when the reliefs landed from England, and Bligh returned from Hobart, he would beyond all doubt have been arrested on a criminal charge and tried by a court composed of the Judge-Advocate Bent and the officers of the 73rd Regiment, who would view the transactions of 26th January from a very different point of view to that taken by the officers of the New South Wales Corps.

When it became known in England that Johnston and Macarthur had left the colony, and were daily expected to arrive in London, steps were at once taken to secure counsel's opinion as to the question of prosecuting them. The lawyers to whom the papers were referred advised that both of them were guilty of conspiracy and high misdemeanour. Johnston it was recommended should be tried by Court-Martial. Macarthur and the other civilians inculpated (Bayly, Townson, J. Blaxland, Blaxcell, and Jamieson) could only be tried by the law of the colony in which the offence was committed. It was, therefore, recommended that Macarthur be sent back to New South Wales, and a prosecution instituted against him in the Criminal Court. It may be that Macarthur suspected this, for he sent word from Rio that they would land at Bristol. As a matter of fact, they landed on the west coast of Ireland, travelled by land to Cork, and from thence sailed to Bristol, where they were met by Mr. Macarthur's eldest son, Edward, a lieutenant in the 39th Regiment.

By the kind permission of Mrs. Macarthur Onslow, of Camden Park, New South Wales, a number of private letters of John Macarthur to his wife are now printed for the first time. The first of these (p. 195) was written from Rio, where the vessel, in which he and Johnston were returning to England, put in. All the letters breathe a spirit of the tenderest affection. It is impossible to read them without being struck by the intense devotion which he paid to his wife and children. Their welfare was ever uppermost in his thoughts. These private letters give us a closer insight into Macarthur's character and disposition than we have hitherto been able to obtain. His idea when he went Home was that he would be on his way back in three months after he landed in England. As a matter of fact, it was years before he was permitted to return.

Macarthur's first letter from London to his wife in New South Wales is dated 28th November, 1809, and will be found on pp. 238-42. He entreats her not to be distressed by idle reports of the hostile disposition of Government. He was very confident. "When a full disclosure of the iniquity of our adversaries is made," he wrote, "they will all be overwhelmed with the

contempt and detestation they so much deserve." He was very glad, however, that Viscount Castlereagh and his under-secretary, E. Cooke (whom he styled a northern bear), were out of office.\*

Still, reading between the lines, it is evident that Macarthur was not long in realising the difficult task before him. He has periods of ill-health and depression. Johnston, "complaining of rheumatism and the ravages of old age," was hardly the man to inspire confidence in his champion. But not once do we catch a hint of despair: the suspense and delay might irritate him, but Macarthur seems not to know what the word defeat meant. What a splendid hater he was! The confidential gossip which fills these letters is very interesting. He had met young William Charles Wentworth in London. He was then a "pleasing lad" of 17, and evidently created a favourable impression on Macarthur. Lord Fitzwilliam had tried to obtain for young Wentworth an appointment in the East India Company's service, or secure his admission to the military academy at Woolwich, but without success. It had therefore been decided to send him back to Sydney to his father. Shortly after his arrival at Sydney he was appointed Provost-Marshal by Macquarie.†

From one of Macarthur's letters‡ we gather that he was a martyr to indigestion. He tells his wife that for six months he had drunk nothing but water, and for three weeks he had been living on bread, milk, fruit, and vegetables. He took a great deal of exercise, and never on any consideration touched beer, spirits, or wine. All his rigid temperance, he tells his wife, did not enable him to overcome an excessive nervousness with which he was troubled.

In another letter,§ he wrote:—

"I have found a powerful body of friends in this country who are not only able but willing to give me their support. . . . I think I shall be obliged to procure a seat in Parliament. . . . In a few days I shall commence my operations against Mr. Bligh. My damages will be laid at twenty thousand pounds. Unhappy miscreant,

\* A few weeks before the date of Macarthur's letter, Castlereagh and Canning had fought their celebrated duel. Both resigned from the Ministry, Castlereagh being replaced by Lord Liverpool and Canning by Sir Arthur Wellesley.

† Post, p. 630.

‡ Post, p. 399.

§ Post, p. 454.

his name is never mentioned in this country but with execration. The Navy, as you would naturally expect, are clamorous for his punishment."

A month later he wrote :—

"I am continuously engaged from morning until night with my lawyers in arranging the plan of a formidable attack upon Mr. Bligh."

This was written about two months after Bligh had landed in England. Arrangements were made shortly afterwards for holding the Court-Martial on Johnston. The decision, as is well known, was in Bligh's favour, and the "formidable attack upon Mr. Bligh" fell to the ground. We gather from the *St. James' Chronicle* of 9th July, 1811, that it was intended to hold a Court-Martial on Bligh, but a difficulty arose in regard to the composition of the Court.\*

Macarthur expected—and he was not disappointed—to find a powerful enemy in Sir Joseph Banks. Bligh had been a protegé of Banks for years : he had virtually received at his hands the appointment of Governor, and under almost any circumstances would have been fairly sure of Sir Joseph's support. When it became known in England that the ringleader was John Macarthur, about whom so many of Banks' friends had complained, and with whom he had never been on friendly terms, it is not to be wondered at that he readily took up the cudgels on Bligh's behalf. During the whole of his residence in the colony, Bligh kept Banks well posted in its affairs ; in fact, it is evident that Bligh deemed it no less important to report direct to Banks than it was to do so to his official superiors at Downing-street. A comparison of his letters and despatches to Viscount Castlereagh and to Banks shows many of them to be practically identical. Word for word, the private letters addressed by Bligh to Banks correspond with the official despatches to Viscount Castlereagh. The deferential allusions to "your Lordship" are paraphrased into a more friendly style of address ; but in well nigh every other respect they are fairly faithful copies.

Macarthur was not dismayed by Banks's open hostility. In one of his first letters, sent from England before Bligh had arrived, he remarked : "Sir Joseph Banks still continues to advocate his friend's

\* Post, p. 466 (note).

[Bligh's] cause, and speaks of him as a much-injured, meritorious character; fortunately, no one believes him."\* Again, immediately before Johnston's trial, Macarthur tells his wife: "Mr. Bligh is universally execrated. Sir Joseph Banks certainly supports their cause with all his interest."† On p. 539 will be found a private letter from Bligh to Banks. At the time it was written, the Court-Martial on Lieut.-Colonel Johnston was sitting. It is evident from this letter that they were in close and constant communication. Bligh complained of the methods adopted by the prosecution, and realised that it was he, as much as Johnston, who was standing his trial.

On pp. 209-14 will be found a report by one of the legal advisers of the Crown on the affairs of the colony, and particularly on the action of the military officers in arresting Bligh. Considerable stress is laid in this report on Bligh's action in suppressing the spirit traffic, to which is attributed the first germs of the mutiny. The proceedings of the six officers who refused to sit with Atkins at McArthur's trial were declared to be "clearly illegal," and a rather unconvincing attempt was made to establish the theory that a long-prepared plot had been in existence between the officers and Macarthur.

In regard to Johnston, the opinion was given that "the proceedings of 26th January involve Major Johnston in the highest degree of criminal responsibility," and that he, and such of his officers as actively assisted, were amenable to trial for treason.

The opinion concerning Macarthur was that he had incited the mutiny among the soldiery, and had instigated the arrest of Governor Bligh. Foveaux is blamed for having decided to continue Bligh's arrest before he had time to make himself acquainted with the merits of the case.

The statement of the whole case is very fairly made, the leaning (as might be expected in an official report) being strongly towards Bligh.

The Court assembled at Chelsea Hospital on 7th May, 1811, and continued by adjournments until 5th June. It was composed of fifteen military officers under the presidency of Lieutenant-General Keppel. The Right Hon. Charles Manners-Sutton—

\* Post, p. 370.

† Post, p. 526.

afterwards Speaker of the House of Commons—was Judge Advocate. Governor Bligh was represented by Mr. (afterwards Sir) Frederick Pollock, and Lieutenant Colonel Johnston by Mr. C. D. Williams and Mr. J. Adolphus. The decision was announced on 2nd July, 1811 (post, p. 552). Johnston was found guilty of mutiny, as described in the charge, and was sentenced to be cashiered. The Prince Regent, while acquiescing in the sentence of the Court, remarked that the inadequacy of the punishment was due to the

“novel and extraordinary circumstances which, by the evidence on the face of the proceedings, may have appeared to them (the Court) to have existed during the administration of Governor Bligh, both as affecting the tranquillity of the colony and calling for some immediate decision.”

At the same time it was laid down that “no circumstances whatever” could be accepted as a full extenuation of Johnston’s action. At the trial Johnston was certainly not able to establish his contention that the circumstances at Sydney, on 26th January, 1808, were such as to warrant him in arresting Bligh. The evidence, in so far as it affected the attitude of the ordinary inhabitants, was hopelessly deficient. After the conclusion of the trial the evidence was published from the shorthand account taken at Bligh’s instance. The charge that Bligh had corruptly interfered with the execution of justice in the law courts was not proved. Atkins, when asked if Bligh had endeavoured to influence his opinion in cases tried before him, previously to the decision of the Court being given, replied “No.” When he had reported to Bligh decisions in certain cases, he had been spoken to in a manner which “hurt his feelings exceedingly”; but except in the case of D’Arcy Wentworth, the particulars of which will be found in vol. vi,\* he, as the principal law officer of the Crown, and a witness for Johnston, admitted that although Bligh’s manner of criticising the proceedings of the Courts was offensive and severe, still he had not moved while causes were pending. Where, then, are the charges of having

“acted upon a predetermined plan to subvert the laws of his country, to terrify and influence the courts of justice, and to bereave those persons who had the misfortune to be obnoxious to him of their fortunes, their liberty, and their lives.”

\* See also post, pp. 142, 148.

Similarly, when the matter came to an issue, Johnston was quite unable to establish his assertions that an immense number of the people, comprising all the respectable inhabitants (Bligh's friends excepted) had clamorously importuned him to act; that they had warned him of impending massacre and insurrection; and that, if he refused to act, the blood of the colonists would be upon his head. The cold facts came out on oath. The respectable inhabitants knew nothing about it. When Johnston assumed the Government, and rescued Macarthur from gaol, the "respectable inhabitants" were conspicuous by their absence. The requisition which Johnston at first pretended had influenced his decision was not, as he tried to make the Court believe, "filled with as many signatures as it could contain as soon as it was laid on the table." About half a dozen interested parties, only, had seen or signed it when Johnston marched up to Government House, and the document had not been thought of when he took the first step and released Macarthur; but for days afterwards the "strong requisition," as Johnston styled it, was hawked about until, by fear or favour, the needed signatures were obtained.

Johnston was permitted to return to Sydney, where he ended his days, as a private citizen on his estate at Annandale, in the year 1826.

Macarthur was dealt with very differently. No legal proceedings were taken against him; but advantage was taken of the power which the Government exercised of controlling the immigration to the colony; and he was prohibited from returning. In 1816, the Secretary of State, in view of assurances received by him from various sources that Macarthur was sensible of the impropriety of conduct which led to his departure from the colony, withdrew the objections to his return. Macarthur, however, would not accept this; he refused to acknowledge any regret or concern for the part he had taken in Bligh's arrest. He went farther and stated that he considered it one of the most meritorious he had ever been engaged in. He took a high stand, which did him infinite credit. He made known his decision to suffer in silence no longer. Unless he was permitted to return, unconditionally, to the colony, he would petition Parliament, and "lay open all the iniquities of Mr. Bligh, of which I held in

my possession abundant proofs, which I was not to be deterred from producing in the way that the unfortunate and ill-advised Colonel Johnston had been." Eventually, in February, 1817, the Government agreed to permit Macarthur to return, without any admissions or conditions.

An interesting paper by T. W. Plummer, will be found on p. 113, dealing with the constitution of the colony, under the early Governors. He pointed out that the system, as a whole, had not received the sanction of the Legislature. He proposed that the Parliament should be put in motion, and an entirely new code of regulations enacted. The colony, properly governed, would, he claimed, become one of the most valuable appendages of the British Crown. He intimated the direction in which reforms should go. The Governor should be assisted by a Council of seven, five of whom should be officers nominated by the Crown, and two elected by the inhabitants. The production of wheat should be encouraged, the surplus, in excess of the consumer's wants, to be handed over to a public distillery and turned into spirit for local consumption or export. Convicts should be graded according to their degrees of guilt and their behaviour after arrival. Lastly, an agent should be appointed to attend to the requirements of the colony in London. Plummer evidently had no practical local experience of the colony, or he would probably have dwelt on the necessity of legal reforms. This subject was dealt with at considerable length by Ellis Bent, the officer who accompanied Macquarie as Judge-Advocate, in succession to Richard Atkins. Bent was described by Viscount Castlereagh as a barrister of eminence. He was a Master of Arts of Cambridge University, called to the Bar in 1805, was one of the barristers on the Northern Circuit, and one of the senior barristers at the Cumberland Sessions. Brigadier-General Nightingall—who as stated above was at first intended to succeed Bligh—urged his appointment on the Government, and at his instigation the salary was increased to £800 per annum. (Atkins's salary had been £365.)

One of Bent's first steps on arriving at Sydney, was to draw up for Under-Secretary Cooke, a report on the judicial establishment of the colony. He found the utmost confusion and disorder

prevailing. The Criminal Court was practically a Court-Martial, and was regarded as such by the general public, and by the officers who formed it. Bent thought the colony was ripe for a judicial system more in keeping with the practice in England. He proposed the introduction of trial by jury, and was willing to include in the panel those "useful and opulent members of society," who had been sent out bond, but by expiration or remission of sentence were free.\*

In the report referred to, he gave instances of the abuses which were rife in the administration of justice in criminal cases. He was averse to the barbarous system of corporal punishment; and thought solitary confinement more calculated to reform the criminal and deter others.

On the civil side the system in vogue was not more satisfactory. The Court established by Phillip, at the foundation of the colony, sufficed for the small population during the first few years, when only cases of simple debt or breach of contract were investigated; as population and trade increased, and the interests of third persons had to be considered, it was found ill-suited and inadequate. He proposed the appointment of judges having the powers of a judge in equity, to be assisted by experienced registrars and clerks. Viscount Castlereagh, who had requested Bent to report upon the judicial establishment, particularly in regard to the advisability of introducing trial by jury was out of office when Bent's report reached England, and nothing was done. After waiting nearly eighteen months Bent addressed a carefully prepared statement to the Earl of Liverpool. It will be found on pp. 621-30. It is the clearest and fullest statement concerning the law courts under the first Governors which we possess.

Macquarie sailed in May, 1809, and arrived at Sydney Heads in H.M.S. *Dromedary* early on the morning of Thursday, 28th December, 1809, one year and eleven months after Bligh's arrest. He landed, officially, at Sydney on the morning of 31st December,

\* He evidently did not take the same view concerning the status of emancipists as his brother J. H. Bent, who succeeded him, and who was removed from office by Macquarie because he refused to allow ex-convicts to practice as solicitors in the Courts.

and on Monday, 1st January, 1810, he assumed the Government; his first act being to issue a proclamation announcing the King's "high displeasure and disapprobation of the mutinous and outrageous conduct displayed in the forcible and unwarrantable removal of his late representative, William Bligh, Esquire, and of the tumultuous proceedings connected therewith." At the same time Macquarie expressed a hope that the spirit of partisanship which had wrought such mischief might end; that the leading inhabitants would set an example of subordination, morality, and decorum; and that the lower classes would be distinguished for their loyalty, sobriety, and industry. (p. 252.)

At this place a few particulars concerning the career of Lachlan Macquarie may be given. He was born in 1762, on the Island of Mull, one of the Argyleshire Hebrides. For many generations his ancestors had been chiefs of the Clann Guarie, which possessed the small island of Ulva. Boswell, in his *Journal of a Tour to the Hebrides with Samuel Johnson, LL.D.*, thus refers to the last chief of Ulva:—

"Macquarie's house was mean, but we were agreeably surprised with the appearance of the master, whom we found to be intelligent, polite, and much a man of the world. Though his clan is not numerous, he is a very ancient chief, and has a burial place at Icolmkill. He told us his family had possessed Ulva for nine hundred years; but I was distressed to hear that it was soon to be sold for payment of his debts."\*

After his return from New South Wales, Macquarie found the old chief dead, and himself entitled to the barren honor. He purchased a portion of the ancient patrimonial property,† and at his death left instructions for his remains to be removed to the island and interred there.

At the age of 15 years he entered the Army as an Ensign in the 84th Regiment; saw active service in North America, and was appointed Lieutenant in the 71st Regiment in 1781. He served with the 77th Regiment in India in 1787, where he was in several important engagements. Promoted to Captain, 1788; Major, 1801; Lieutenant-Colonel, 1805; and served again in

\* The parishes of Ulva, Staffa, and Ormaig, in the county of Monmouth, Tasmania, were named by Macquarie after localities in his native islands.

† *The Scottish Nation*; by W. Anderson. Vol. iii, p. 67.

India with the 73rd Regiment in the years 1805-6. In 1810 he was promoted Colonel; and in 1811, Brigadier-General. He died on 11th July, 1824. Amongst the most important engagements in which he played a distinguished part were :—The siege of Seringapatam in 1792, and its capture in 1799; the capture of Colombo, in 1796; Cochin China, in 1795; and the siege of Alexandria and final expulsion of the French Army from Egypt, in 1801.

When he accepted the appointment of Governor he was by no means an unknown man in official circles. John Macarthur, when on his way to England with Lieutenant-Colonel Johnston, touched at Rio, in July, 1809. From there he wrote to his wife in Sydney. His chief item of news was that "Lieut.-Colonel McQuarry, of the 73rd, is appointed Governor and Commander-in-Chief." "I knew a little of Colonel McQuarry," wrote Macarthur, "and think him a gentlemanly man."\* Writing again, after his arrival in England, he gives us the benefit of the gossip of the town :—

"Every person that I have heard speak of him [Macquarie] concurs in giving him the highest character, and those who know him best say that if it be possible to advance the interests of the colony, and to improve the morals of the colonist, there is no man living more likely to accomplish it than Colonel Macquarie.

"I am impatient to see the changes that such a man will make amongst the wretches who have so long insulted every honorable and virtuous feeling by the unblushing display and avowal of infamy and vice, and most sincerely do I pray that he may speedily detect that arch-hypocrite Marsden, who certainly has done more mischief in that settlement than any one of the worthless characters who have had an influence in the direction of publick affairs."†

When he heard that Macquarie was on terms of intimacy with many of the emancipist class—that he even invited them to his table—Macarthur was beside himself with amazement and concern.

Viscount Castlereagh's first letter to Macquarie will be found on pp. 143-6. This contained his orders concerning Bligh. He was to reinstate him in his office as Governor at once; but as, in

\* Post, p. 197.

† Post, p. 401.

view of the circumstances of his arrest and the number of complaints against him, his continuance in the colony might tend to keep alive dissatisfaction, Bligh was to immediately surrender the Government to Macquarie and return to England.

Johnston was to be placed in close arrest and sent to England to stand his trial. Macarthur, if charges were forthcoming, was to be arrested and tried by the Criminal Court. Officers appointed by Johnston were to be removed, and those who had been dismissed were to be reinstated. The New South Wales Corps was recalled. Particular care was to be taken that none of the officers remained behind, though exceptions might be made of those who were absent from Sydney during the period Bligh was under arrest. Bligh's papers were to be restored to him. At his discretion, Macquarie was given power to declare the executive acts of the usurping officers invalid. None of the decisions of their Courts was to bind him. Certain instructions were given him in regard to the importation and distribution of spirits, and his attention called to the fact that all previous attempts to check and regulate the trade had failed. The use of spirits as an article of barter was strictly prohibited, and the imposition of a high import duty suggested.

On pp. 259, 312, and 329 will be found accounts of the massacre by Maoris of the entire crew of a whaling vessel. The ship *Boyd* having landed convicts at Sydney, and taken on board a quantity of seals' skins, sailed for England, intending to complete her cargo with timber and spars at the Bay of Islands. Three days after her arrival at Wangaroa, and while the captain was away with two boats' crews procuring spars, a party of Maoris, who had been sitting peaceably on the deck, rushed on the unarmed and unsuspecting crew dispersed about the vessel. The whole of them were massacred in cold blood, with the exception of one woman, a lad 15 years of age, and two young children. Simultaneously another party fell upon the boats' crews, and murdered them to a man. The vessel was then stripped by the natives of everything of value, and burnt to the water's edge. The motive was alleged to be one of revenge for indignities inflicted by the captain on a Maori chief who was given a passage on the *Boyd* from Sydney. Upon hearing of the massacre, the

captains of six whalers then lying in the Bay of Islands manned six boats. They killed a large number of the Maoris, and destroyed their houses and property.

Macquarie's first despatch to the British Government, after his arrival at Port Jackson to reinstate and relieve Bligh, will be found printed on pp. 300-8. He describes the steps he took on finding Bligh to be absent from Sydney; the proclamations he made public; the arrival and reception of Bligh; the restoration of officers who had been dismissed by the military in consequence of their sympathy with, and friendship for, Bligh; the preparations for sending Home the 102nd Regiment, and its relief by the 73rd; quite a prominent place is given to a long eulogy on Lieutenant-Colonel Foveaux; allusions are made to proposed public works and several new appointments; and the letter concludes with "grateful acknowledgments" to the Secretary of State for his (Macquarie's) appointment, and assurances of exertion on his part to confirm the good opinion formed of him.

On 30th April, 1810 (p. 335), Macquarie wrote a long despatch to the Government, dealing minutely with the events of the first three months of his administration. He recapitulated the steps he had taken to elevate the moral tone of the colony, particularly in regard to Sunday observance, the relations of the sexes, and the education of the children of the poor. In the spirit traffic he recognised one of the greatest curses of the settlement. Every attempt which had been made to regulate the importation and distribution of spirits had admittedly failed. He proposed to cope with the difficulty by reducing the number of licensed houses, and by allowing spirits to be imported without any restriction beyond the imposition of an import duty of three or four shillings per gallon. He was evidently taken aback by the primitive manner in which monetary transactions were carried on between the inhabitants. There were neither gold nor silver coins, and no legal tender had been substituted for specie. Notes of hand formed the principal circulating medium. These passed from one to another in such a way that it was often quite impossible to ascertain their validity or value, and the door was opened to repudiation and fraud. Macquarie recommended the

establishment of a Government Bank, under the name of "The New South Wales Loan Bank." The idea was, to issue paper money to farmers, on mortgage of their lands, charging interest at the rate of 6 per cent. The farmers could then improve their holdings, the money would circulate, and the bank would pay a handsome return to the State. The scheme does not seem to have been viewed with much favour at Home. The old plan of sending out a quantity of specie was adopted in its stead. In this place the management of the finances of the colony, as described by Macquarie, may be alluded to. The system was simplicity itself. Two funds were established—the Police Fund and the Orphan Fund. Three-fourths of all revenue were paid into the former, the remainder into the latter. From the Police Fund all expenses in connection with the Police establishment and the erection and maintenance of public works were defrayed; and from the Orphan Fund the female orphanage and charity schools were supported. All salaries of civil and military officers were, of course, paid by the British Government.

It was in this despatch that Macquarie outlined the policy he intended to pursue in regard to the increasingly large class of colonists who had been sent out as convicts, but had, either by effluxion of time, or the clemency of Government, regained their freedom. They were known as emancipists. Under Macquarie's predecessors they had never been regarded as purged of the convict taint. "Once a convict always a convict" had been the motto in Sydney society under the naval Governors. There were a few exceptions, but only enough to give point to the general rule. When Macquarie arrived, he found that quite a number of these men were in affluent circumstances. Their manners, he tells us, had been entirely reformed; they had not only "become respectable," but were "by many degrees the most useful members of the community." Macquarie took these men by the hand. He informed the Secretary of State that he intended to adopt a new policy in regard to them. They were to be no longer ostracised. He invited them to his table, made them magistrates and trusted officials, and gave the free immigrants clearly to understand that the rehabilitation of the characters of the convicts was the primary cause of the colony's existence.

Had Macquarie exercised moderation and discrimination in putting his theory into practice there might have been no trouble; but he was an obstinate, headstrong man. The idea that the free emigrant was an interloper, grew to be a fad with him; and to such lengths did he go, that before he had been very long in charge the whole of the population was split into two hostile camps. The fires of partisanship were kindled, and it was many a bitter year before the feud between the "emancipist" and the "pure merino" was allowed to die out.

It is remarkable that in the despatches written Home by Macquarie during the first four months of his term of office he made no allusion whatever to the merits of the Bligh-Johnston question. If his sympathies as a military officer were with the Corps, he did not show them. Towards the end of the fourth month, however, Bligh's procrastination overtaxed his patience, and he addressed a private letter to the Secretary of State, in which he spoke his mind without reserve. He was evidently angry with Bligh, because for fully a month the vessels which were to convey the New South Wales Corps to England had been detained by him unnecessarily. It does not appear, however, that Macquarie allowed his feeling of annoyance to influence him in stating the case to Castlereagh. He admitted that party feeling ran so high that it was impossible to arrive at the truth without a minute legal investigation. At the same time he had been unable to discover any act of Bligh's which could be contorted into an excuse for mutiny, adding—"very few complaints having been made to me against him, and even those few are of a rather trifling nature." The administration of Governor Bligh had, he stated, been extremely unpopular, "particularly among the higher orders of the people." He himself had found Bligh a most unsatisfactory man to transact business with. He lacked candour and decision, and it was impossible to rely upon him fulfilling his engagements. Bligh, it is evident, was not on very cordial terms with Macquarie. We need look no farther for an explanation of this, than the fact that Bligh, when he arrived from Hobart, found Macquarie had made of his arch-enemy Foveaux a confidant and a favourite. It must be borne in mind that, although Colonel Paterson was, in name, the officer-in-

charge at Sydney, yet, as a matter of fact, he had little or nothing to do with the actual control. He resided at Government House, Parramatta, his health broken (he said by hard service—his enemies said by intemperance), and was content to do whatever Foveaux told him. Even when Paterson had been temporarily in charge, pending the arrival of Hunter, fourteen years before, he had shown no sign of independent activity.

When Paterson arrived at Sydney Heads in the *Porpoise*, in January, 1809, he was met by Lieutenant Lawson, and driven to town before Bligh could have an opportunity of conveying any message to him, or to the master of the *Porpoise*. Bligh intended to order the captain to detain Paterson on board the *Porpoise* as a prisoner. Once at the barracks Paterson was easily persuaded to ratify the actions of his comrades in the Corps, and continue the arrest of Bligh. Foveaux and Abbott acted as his advisers, and on their shoulders should rightly fall the blame for the indignities heaped on Bligh during January and February, 1809.

On pp. 152-5 will be found a despatch from Lieutenant-Governor Paterson to Lord Minto, then Governor-General of India. The despatch purports to give a short statement of the most interesting circumstances connected with the arrest and deposition of Governor Bligh. As a matter of fact, it is a masterpiece of misrepresentation. Johnston is shown as the passive instrument in the hands of an enraged and united populace. The arrest of Bligh is alleged to have been the only way to avert a general insurrection of the inhabitants "with all its attendant horrors"; in fact, the only means by which Bligh himself was saved from falling a victim to the fury of the mob. We now know that the general inhabitants who are here put forward as the instigators of the mutiny knew nothing about it until afterwards. The imposing requisition signed by the "most respectable inhabitants," turns out to be a feeble attempt to hoodwink the British Government. Instead of being, as was claimed, the warrant for Johnston's action, it is now known that not one independent or disinterested person placed his name to it until long after Bligh had been arrested. Beyond the repeated bickerings with Bligh which disfigure the period when Paterson

had charge, there is little of interest to relate. Paterson certainly sent Home two or three despatches, issued several orders respecting the distribution of wines and spirits—in which the officers and soldiers were not forgotten,—and appointed a few subordinate officers. With this he seems to have been content.

With the advent of Macquarie, Paterson disappears finally from the pages of Colonial history.\* Macquarie seems simply to have regarded him as unworthy of any serious attention. Upon taking command he at once called upon him to hand over by “to-morrow morning at 10 o’clock,” all official papers and records; and then turned to Foveaux, to whom he looked for information and advice, and whom he entrusted with grave executive functions. Foveaux had lost no time in defending his actions in continuing the arrest of Bligh. He addressed a long letter (pp. 269–72) to Macquarie, throwing all the blame on the shoulders of the debilitated Paterson, and disclaiming any responsibility. Foveaux very speedily made himself indispensable to Macquarie (at all events for the time being), and was given the command of the troops at Sydney, and asked by the Governor to “have the goodness to continue to superintend and carry on the public buildings and works.” When he sailed for England, he took with him very strong letters of recommendation from Macquarie; in fact, Macquarie went so far as to say that he had not met with any officer, in the course of thirty years of service, better qualified than Foveaux to take charge of an infant colony. He then suggested that, in case Collins was recalled, Foveaux should be given the Lieutenant-Governorship of Hobart. After the conclusion of the Court-Martial on Johnston, Foveaux, then in England, applied to the British Government for the position (Collins had been dead more than a year, and no successor had been appointed). He was curtly informed that the Government did not deem it advisable to submit his name. At the same time he received promotion in his regiment, and was evidently held in high esteem at the Horse Guards.

\* Paterson sailed for England with his regiment in the Dromedary, but did not survive the voyage. He died on 21st June, 1810, when the vessel was off Cape Horn. John Macarthur, when conveying the news of Paterson’s death to Mrs. Macarthur, added:—“God pardon his errors and the ills he suffered himself to be made instrumental in breaking upon my head.”

Bligh strongly resented Macquarie's action in placing Foveaux in positions of honour and trust, and in admitting him to his confidences; but Macquarie would not heed him. When it became known that Foveaux was sailing for England in advance of the other officers, Bligh sent Home a hurried letter to Downing-street, charging him with mutiny. He also wrote to Banks from Rio, warning him of the departure of Foveaux and of his desire to secure the Lieutenant-Governorship of Hobart. Foveaux, however, upon arriving in England was not molested; and after the conclusion of Johnston's trial the Government decided not to prosecute him or any of the other officers who were implicated in the mutiny.

Amongst the general inhabitants in New South Wales, Foveaux does not seem to have been very popular. He treated several of the free settlers in a very severe, almost tyrannical, manner, and his action at Norfolk Island in hanging two men without formal trial was severely commented upon.\*

John Macarthur, writing to his wife on 3rd August, 1810,† said:—

"You are now freed from all apprehensions of hostile attempts from that unprincipled man, Mr. Foveaux, who, if he has not made any direct attempts to disturb you, has, I am convinced, been deterred by nothing but shame and fear."

Writing again after Foveaux's arrival in England, he tells her:—

"When Foveaux arrived, I caused him to be told that no explanation could ever alter my opinion of certain transactions in New South Wales; therefore it would be better not to make the attempt.‡

A few months later he returns to the same subject:—

"I yesterday taxed Colonel Foveaux—and, indeed, have done so more than once—with being the principal cause of all the mischief that hangs over the colony; but he steadily denies the fact."§

Caley, writing to Banks in October, 1808, when Foveaux was in charge at Sydney, said: "From what I am able to judge of

\* See Mason's letters, post, pp. 490 and 522, and Foveaux's defence, p. 529.

† Post, p. 400.

‡ Post, p. 454.

§ Post, p. 525.

his general character, and the orders he has issued, he is acting a very sly, cunning part, which it is very requisite for you to be apprised of.”\*

Foveaux took great pains to convince Macquarie that he had not approved of Johnston's conduct *after* the arrest of Bligh, and that during the short period he was in charge himself he had not been influenced by Johnston's opinions or advice, nor had he been swayed by the opinions of those who possessed the confidence of Johnston, by which we may fairly assume he means John Macarthur. He craftily represented to Macquarie that he should not bear any of the censure which His Majesty's Ministers might visit upon Johnston and Paterson, because Paterson (his senior officer) had approved of the arrest, the approval being communicated to him (Foveaux) *officially*—that is to say, he was willing to shelter himself behind the plea that he was merely acting under orders. As a matter of fact, Paterson did not know until some time after Foveaux's arrival what their respective ranks were, and whether he had any power to issue orders to Foveaux or not.

If there is any truth in the letter of T. Brown, printed on pp. 216-7, Foveaux's conduct in private life would not bear investigation.

One of Governor Macquarie's acts, which is most difficult to understand, and quite impossible to defend, was the contract he entered into with Messrs. D'Arcy Wentworth, Garnham Blaxcell, and Alexander Riley, for the erection of a large hospital at Sydney. The terms of this remarkable contract will be found on pp. 449-53.

Macquarie—although he had been specifically instructed to put down the traffic in spirits, and to strictly prohibit all bartering of spirits for produce or necessaries—by acceding to the terms of this contract, was guilty of the most gigantic deal in spirits which the colony had known. In brief, the conditions were as follows: In consideration of the contractors undertaking to complete the erection of the building within three years and a half, Macquarie gave them the exclusive right of importing spirits into the colony (during that period) to the extent of

\* Vol. vi, p. 799.

45,000 gallons. In addition, they were allowed the services of a large number of convicts and of draft cattle, and received a number of store cattle for slaughter. In effect, the Governor gave them a monopoly of the spirit traffic for three and a half years, without any reserve or restrictions. They became the wholesale spirit merchants for the entire colony, and retailed their stocks at their own prices without any fear of competition or a glutted market. Their profits must have been enormous. Dr. Lang tells us that they purchased the spirits at 3s. per gallon, and sold them at 40s. The officers of the 73rd, in their statement of prices current at Sydney, in April, 1810, gave the retail cost of spirits as from £2 to £3 per gallon. The price at which spirits were distributed by Government to officers and others (including licensed victuallers) was 13s. per gallon in March, 1811. These prices would hardly be likely to fluctuate very much. They suggest that Lang's estimate was not far from accurate—perhaps he understated the import price; but, even making allowances for that, the profits on the contract could not be less than £40,000 or £50,000. It is noticeable that although Macquarie concluded the contract in November, 1810, he did not inform the Secretary of State until October, 1811. As might have been expected, the Government disapproved strongly of Macquarie's conduct. It was in direct opposition to the recommendations he had made in his letter of 30th April, 1810 (post, p. 338) in regard to the spirit traffic. The Secretary of State could not believe that the Principal Surgeon, D'Arcy Wentworth, was one of the contractors. Macquarie, in entering into this contract, was guilty of two grave errors. He gave official sanction, and, in fact, helped to perpetuate the iniquitous system of trafficking in spirits which had wrought such incalculable injury under his predecessors; and he set a bad example to the officers—civil and military—by permitting one of his favourites—a professional officer of high standing—to hold the dual posts of chief medical adviser and building contractor to the Crown, an example which was not lost on the other officers, for we find about a month after Macquarie had signed this contract an officer of the regiment engaging in a speculative purchase of cattle. Macquarie, however, reprimanded him savagely, and threatened if any such thing occurred in the

future he would court-martial the offender and report him to the Commander-in-Chief. The practice he described as "derogatory to the character of an officer, subversive of military discipline, and contrary to the customs of the Army." Very shortly after the contract was signed we find illicit stills at work, and large rewards to informers on offer in the Government and General Orders.

The hospital stood on the eastern side of Macquarie-street. In recent years a very fine building of dressed stone has been erected on the same site, equipped with all the conveniences of a modern hospital. One wing of the old building is, and has for many years been, the Sydney Mint, the other wing has been added to considerably and is now used as Parliament House.

D'Arcy Wentworth at this time must have been a busy man. He was Principal Surgeon and Superintendent of Police in addition to being one of a firm of building contractors. As Superintendent of Police his powers were very great. He could punish, by flogging or imprisonment, *any* free man convicted on the oath of *one* credible witness of being an idle or disorderly person. The flogging was not to exceed fifty lashes, nor the imprisonment thirty days; but the former could be administered publicly. This, it must be borne in mind, applied not to convicts, but to free men who had, perhaps, never seen the inside of a Court.

Governor Macquarie did much to improve the city of Sydney. In a Government and General Order, of 11th August, 1810,\* he notified that all streets were to be constructed a uniform width of 50 feet (including footpaths). Neat and regular paling fences 4 feet high were to face the street, and any premises encroaching on the road would either be pulled down and replaced at the public expense, or a monetary compensation allowed to the proprietor. In an Order dated 6th October, 1810,† he notified that the principal street of the town—"upwards of a mile in length"—previously known alternately by the names of High-street, Spring-row, and Serjeant-Major's row, was in future to be known as George-street, "in honour of our revered and

\* Post, p. 402.

† Post, p. 428.

gracious Sovereign." The open space whereon the church of St. Phillip stood, was named Charlotte-square, in honour of the Queen. In the same General Order, Macquarie-place was named. The square on which the Queen Victoria Markets now stand was set apart for a public market place, and named Market-square. The whole of the unoccupied ground bounded on the west by the town of Sydney, and on the east by Mr. Palmer's property (Woolloomooloo), and which previously had been known at various times as "The Common," "Exercising Ground," "Cricket Ground," and "Race-course"—was set apart for recreation under the name of Hyde Park. On 27th October, 1810, a further Order gave the names and localities of nine new streets and lanes.\*

In addition to laying out these thoroughfares, Macquarie appropriated a larger proportion of convict labour to Government purposes than had ever been done before. Public works were pushed on, and roads and bridges connecting the agricultural districts with Sydney were made. Towards the end of the year 1810, Macquarie made an extended tour of "all the inhabited parts of the colony." He was absent from Sydney about five weeks. He found the country on the banks of the Hawkesbury, Nepean, and George's Rivers admirably adapted for agriculture. The holdings of settlers were in a forward state of cultivation; but their dwelling-houses and barns were very poor, and they were possessed of very small numbers of live stock. The settlers had suffered very much from repeated floods. Ignoring, in a remarkable way, the experiences of the past, after the subsidence of each flood they had returned to their farms on the river bank, reaped a few rich harvests from the fertile soil, and again saw their flimsy dwellings swept away. Again and again did Hunter and King advise them to remove to higher ground. Macquarie, however, was not content with advice. During his visit to the agricultural districts, in 1810, he set apart certain areas on the higher lands, and laid down there the lines of small townships, dividing them into allotments suitable for farmers' homesteads. To each settler was given one of these town allotments, proportionate to the size of his farm. This was exclusively for purposes of residence and for storage of grain. It could not be alienated,

\* Post, p. 444.

except as an appanage, or part, of the farm. The towns set out in this way, and named by Macquarie, continue to this day. They were Windsor, Richmond, Pitt Town, Wilberforce, Castlereagh, and Liverpool.

Macquarie very soon found that the number of convicts available for labour on Government works was insufficient to keep pace with his ambitious schemes. In several instances he entered into contracts for particular works with private individuals—*e.g.*, on p. 591 will be found the terms of a contract for rebuilding the bridge across the Tank Stream. For this the contractor was to be paid 660 gallons of spirits. On p. 320 will be found a statement of the agreements made with various stonemasons for labour to be performed in connection with the new stores.\* With one exception the wages were to be paid in rum, the average weekly rate being about one gallon of rum each man. It strikes us to-day as singular that Macquarie, who had been specially directed to put down the liquor traffic, and ordered to see that "all private bartering of spirits for corn or necessaries was strictly prohibited," should so far recognise the practice as to pay spirits for services rendered to the Crown. It is, in itself, an indication of the hold which the system had upon the community.

To Lieutenant-Governor Paterson we owe the establishment of the first post-office at Sydney. The practice prior to April, 1809, had been for captains of vessels to take charge of the mails and hand them to the addressees on application. This primitive system, adequate enough before the birth of trade, soon opened the gate to fraud. Personation became easy. Masters of vessels had in most instances no personal knowledge of the applicants; and when the individual, for whom the letter was intended, applied, he found that it had already been delivered to another. To rectify this, Paterson notified, in an Order dated 25th April, 1809,† that Mr. Isaac Nichols (then assistant to the Naval Officer) was to take charge of all letters, &c. His private house was to be the post-office. This was before the days of prepayment by

\* These buildings are still standing at the Circular Quay; for many years they have been known as the Commissariat Stores.

† Post, p. 102.

postage stamps ; and Paterson fixed the following scale of charges which had to be paid at the Sydney, or receiving, end, before a letter would be delivered, viz. :—

			s.	d.
Every letter	...	...	1	0
Parcels under 20 lb.	...	...	2	6
Parcels over	„	...	5	0
Soldiers' letters	...	...	0	1

Lists were ordered to be published in the *Sydney Gazette* of the names of persons for whom letters or parcels were waiting. Macquarie endorsed this act of Paterson's in an Order dated 23rd June, 1810.\* He slightly reduced the charges, and made provision for letters from any part of the territory (this would include Van Diemen's Land), for which the charge was to be fourpence. Isaac Nichols was continued in his position, and his house in High-street (now George-street) remained the office.

In May, 1810, the British troopships Hindostan and Dromedary sailed for England with the New South Wales Corps, the name of which had been changed to "102nd Regiment" when it was decided to recall it. The officers and men of this Corps exerted a very great influence over the affairs of the infant settlement. For nineteen years they had been quartered at Sydney. During much of that time there were few free men living in the colony. The consequence was that the military became the dominant class. The officers had exceptional powers and privileges ; the soldiers were permitted unusual latitude. It does not appear to have been denied that the majority of officers were concerned in speculations hardly in keeping with their standing as officers of the British Army, and that the private life of the men in the ranks was notoriously and shamefully immoral.

The Rev. Henry Fulton, writing to Viscount Castlereagh (post, p. 27), reiterated the assertions of Bligh and his adherents in regard to the mercantile pursuits of officers. He stated that Bligh's arrest was attributable to his inflexible opposition to the practices of the military in buying and selling spirits, and bartering goods to settlers for grain and live stock. Bligh had further

\* Post, p. 389.

made himself obnoxious by refusing to alienate large areas of land and herds of cattle, and by preventing the officers from participating in lucrative shipping ventures to the islands and China.

Fulton, like most eager partisans, spoils his case by the vehemence of his language and the extravagance of his charges ; but, making this allowance, and viewing the matter in the light which we have from other sources, we have little difficulty in forming an opinion on the subject. One of Fulton's charges is rather amusing. He seems to have been very much concerned because two of the military officers had encouraged a lieutenant of one of H.M. ships to marry a lady whose mother had been a convict. The circumstances under which Mr. Fulton himself arrived in the colony, no less than the nature of his calling, ought to have kept him silent.

By the same conveyance which carried Fulton's representations to the Secretary of State, a number of free settlers (men who had voluntarily emigrated from England) forwarded a statement of affairs to the British Government. They alleged\* that the officers had been, and continued to be, engaged directly and indirectly in business as "merchants, traders, and dealers"; that they employed convicts to carry on their mercantile concerns in the country districts; that a great number of the inhabitants were indebted to them, and, consequently, in their power; and that they had set up expensive establishments which it was impossible to maintain unless their salaries were augmented by large business profits. They went farther, and charged the officers with impeding agriculture in order to be able to purchase at low prices the farms and estates of impoverished settlers, and with corrupt practices in regard to the issue of land grants, the distribution of stores, and the administration of justice. There does not appear to be any good grounds for refusing to place credence on the statements of these settlers. So far as we know, they were all men of good character. They were entirely free of any convict taint; and they formed the class from which, if from anywhere, we are likely to get reliable evidence. They lived, for the most part, in the out-settlements, removed from the influences of Government House on the one hand and the barrack-

\* Post, p. 33.

room on the other ; and there is nothing to show that they had anything to fear from Johnston, or anything to expect from Bligh.

Even John Macarthur, who owed his liberty to the intervention of the Corps, had not a very high opinion of it. Writing to his wife in May, 1810 (p. 370), he thus alluded to the recall of the Corps:—"It is a happy event for the colony, for a more improper set of men could not be collected together than they have lately become."

On p. 595 will be found the General Order of Governor Macquarie, setting aside a large block of land, to be held in trust for the future inhabitants of Sydney, and to be used as a Common. The boundaries of the Common are given, and a map showing the approximate position of the Common is printed with the Order. The reserve now known as Moore Park formed the greater part of the original Common.

F. M. BLADEN.

# HISTORICAL RECORDS

OF

## NEW SOUTH WALES.

GEORGE SUTTON TO GOVERNOR BLIGH. (Bligh Papers.)

1800

Sir,

Sydney Gaol, 1st January, 1809.

1 Jan.

Permit me to hope that you will be pleased to peruse the following lines with that impartial humanity which has so eminently distinguished your administration of the Government of this colony; at the same time, suffer me to deplore the circumstance of the subjects of our good and gracious Sovereign being deprived of the protection of their lawful Governor. The outrageous act of deposing your Excellency, and the shameful manner in which you were deprived of your authority, is but too well known. Ever since that detestable and pernicious event took place, I have uniformly endeavoured to preserve my allegiance to the best of Kings by a faithful and loyal attachment to the person of your Excellency and His Majesty's Government in this territory; but in so doing I have not escaped persecution from those who have overturned the Government and assumed to themselves the authority of governing, conceiving as I do that the right of appointing and removing Governors belong alone to His Majesty. As a British subject I ought not, nor cannot, submit to acknowledge their jurisdiction. Sir, the case I beg to submit to your consideration is as follows:—

Sutton's sympathies with Bligh.

I came out to this colony in His Majesty's ship Porpoise in the year 1800, under the auspices of the Right Hon'ble Sir Joseph Banks. Having been bred up to agriculture, it was thought by him I might be useful in promoting it in this country; and ever since my arrival here my exertions have been unceasingly devoted to that purpose. My wife accompanied me from England. On the passage we had one child, and our family has since increased to five. The late arrival in the colony of Colonel Foveaux, and the decided part he has thought proper to take in uniting himself with those persons who had overturned His Majesty's Government, must be well known

A protégé of Banks.  
Foveaux in charge.

1809

1 Jan.

Suttor re-  
fuses to  
attend  
muster.Interviewed  
by a  
constable.

A summons.

Suttor's  
employees.

Mrs. Suttor.

to your Excellency. Shortly after he had fixed himself in the Government he thought proper to issue a Public Order requiring all persons holding or cultivating land to attend him at a general muster at the respective places he had appointed. On being acquainted of the above order, I conceived that I should deviate from my duty should I comply with it, knowing that His Majesty's Governor was a close prisoner within the territory, and forcibly and unjustly withheld from the exercise of his lawful authority. I therefore resolved to follow the dictates of my own conscience and feelings, and steadily to persevere in my loyalty. On the day of the muster I remained at my farm with my family. On the Sunday following, a convict constable came to my house (by order, as I afterwards heard, of Colonel Foveaux) and demanded to see me. On my appearance, he demanded, in a very insulting manner, what was the reason I had not attended the muster. I did not think proper to assign to him my reasons, but thought it extraordinary that such a man should be sent to put questions to me. He then read a paper, the purport of which was that if I did not immediately answer the muster I was to be tried by a Bench of Magistrates at Sydney. He then left me, and I saw him some time after at a short distance from my house writing, and I afterwards learnt that he was committing to paper what had passed, and which was to be taken in order to furnish a ground of accusation against me. My wife was at this time dangerously ill, and my family were thrown into the greatest consternation by the threats of the man above stated. On the Tuesday following, another constable brought a summons, citing me to appear before a Bench of Magistrates at Sydney on Thursday. I was at this time busily employed in my harvest, from the state of which and of my family I could ill be spared from my home. Under these circumstances I addressed a line to Captain Kemp (who had taken upon him the office of Judge-Advocate of the colony), that as I was conscious of not having committed any offence, and the state of my harvest and family being such that I could ill be spared from my home, requested that he would put off the business till after the harvest. In answer to this I received a very perempt order signifying that my request could not be complied with, and that I was required without fail to attend at Sydney on the ensuing Saturday. On the Thursday, Colonel Foveaux sent an order demanding all persons in my employ to attend him at Parramatta at six o'clock on the Saturday morning, the day on which I was to attend at Sydney. Fully impressed with the idea that nothing short of my ruin and that of my family must ensue by his pursuing measures of such severity against me, and to prevent the disagreeable consequences of being torn from my family and taken like a malefactor for upwards of twenty miles through the country, which, from the state of Mrs. Suttor's health, might occasion her death, induced

me to proceed to Sydney on the Friday night ; but before I left my home, I thought it a duty due to my family to address a few lines to Colonel Foveaux, remonstrating with him and setting forth that the persevering in such severe measures against me was likely to bring my family to distress and ruin ; that the depriving me of my men employed in the cultivation of my farm and in taking care of my sheep, cattle, &c., and that in the time of harvest, was calculated to bring about the destruction of my property and deprive my wife and children of the means of support. The letter was addressed to his humanity and good sense ; notwithstanding, he persevered in his unrelenting disposition, and gratified his resentment by depriving me of all my servants, and left my defenceless wife and five young children, together with my crops, stock, &c., to the mercy of the savages of New Holland, and the worse than savages—the abandoned and desperately depraved part of the convicts, who, from the present state of things, are under little or no control.

1800

1 Jan.

Foveaux's severity.

When a person who came free into the country, a man of respectability, is subject to such severity, it operates as a watch-word for them to commit all manner of excesses upon his defenceless family and property. With the letter before-mentioned, Colonel Foveaux hurried to Sydney the morning he received it and convened a Bench of his magistrates, before whom I was to appear. They thought proper to commit me to gaol to take my trial at the next Criminal Court. I was afterwards liberated on giving bail, and for a few days suffered to return to my family, who, together with my concerns, I found in the greatest\* . . . . . my ripened harvest, the bounty of Heaven, the bread of my wife and children, consigned to destruction by the unfeeling hand of an unlawful authority. During my absence one of the men who had been in my employ, a fellow lately transported from Ireland under the denomination of a Thresher, and of whom Colonel Foveaux thought proper to solicit information against his master, had gone to my house and insulted my wife with the most abusive language, and in a posture of defiance telling her it was his day now, and God help her. This man, in my own presence, had the audacity, with five others of a like description, to drive off my cattle and threaten my life. My cattle they took from me, and insisted that I should give them two bottles of wine before they would give them up. To this I was compelled to comply, under the present circumstances, before I could recover my cattle. Two days after a fine cow calf sickened and died ; I have every reason to believe that this gang was the cause of her death. This happened on the Thursday. On the Monday following I was brought in to Parramatta by a warrant from Mr. Fitz, acting as a magistrate under the present rulers, to answer to an unjust demand of the above-mentioned convict. A Criminal Court was suddenly convened—I might say purposely

Treatment of a free man.

Liberated on bail.

A convict servant.

Sutton's cattle.

\* Word obliterated.

1809  
1 Jan.  
Suttor  
before the  
Court.

for sending me to gaol. Before this Court (if I may be allowed call it such) I was brought. Here, still keeping in view those unalterable sentiments of loyalty as a subject, and duty as a member of society, I could do no other but deny their jurisdiction, and firmly express my faithful adherence to your Excellency, as the person appointed by our most gracious Sovereign to govern this territory, leaving my defenceless wife and children to the protection of Almighty God till such time as your Excellency shall be restored to the exercise of your lawful authority. They, in consequence, sentenced me to be imprisoned six calendar months, and pay a fine of one shilling.\* This imprisonment I am now suffering, and my wife and five young children left exposed to every evil that can afflict the feeling mind. But when I reflect on what your Excellency and family have suffered, and still are suffering, I, as a humble individual, ought to bear my lot with humility and patience. An evil is gone forth which is of unusual concern, and which calls aloud for exemplary justice, and unless this ensues the inhabitants of this colony will never be secure in the Government for a day. It is a precedent for any man of a wicked and turbulent disposition to corrupt the soldiery, overturn His Majesty's Government, and place himself at the head of affairs in the colony. Sir, I beg your indulgence for having so far troubled you. Permit me to assure your Excellency of my loyalty and steady adherence to His Majesty's Government. I sincerely wish you health, and speedily to be restored to the exercise of authority.

Imprisoned  
and fined.

A dangerous  
precedent.

I have, &c.,

GEO. SUTTOR.

LIEUTENANT-COLONEL FOVEAUX TO COLONEL PATERSON.

[Extracts.]

2 Jan.  
Foveaux and  
Norfolk  
Island.

Sir, Sydney, 2nd January, 1809.

Having left England by command of His Majesty's Ministers for the purpose of re-assuming the Government of Norfolk Island, I have been prevented from accomplishing the object of my voyage by the premature measures taken for the evacuation of the island—an event which has reduced its late unfortunate inhabitants to a state of the most deplorable distress.

On my arrival here, six months after the suspension of Governor Bligh, I found myself obliged, in consequence of your absence, to assume the command of the colony, and during the five months I have held it I have been unremittingly engaged in promoting, to the best of my judgment and abilities, the interest of His Majesty, and of the people under my charge; and I hope that my efforts have not been altogether unsuccessful.

My instructions from the Secretary of State directed me, in the event of finding Norfolk Island evacuated, to repair to head-

Arrest of  
Bligh.

Foveaux's  
instructions.

\* In addition to Suttor, Andrew McDougall, Martin Mason, John Hillas and John Smith were each sentenced to one month's imprisonment.

quarters (as my rank and pay of Lieut.-Governor, notwithstanding its evacuation, were to continue), and to execute the duties of Lieut.-Governor during your absence. 1809  
2 Jan.

As your arrival has now superseded me in these duties, and as my presence here, consequently, can be no longer necessary, I trust you will have no objection to my returning to Europe by the earliest opportunity, unless you should deem it essential to His Majesty's service that the settlement at Port Dalrymple should be commanded by a person holding the rank of Lieut.-Governor, which does not strike me as at all necessary, from the circumstance of its having been in the contemplation of Ministers, prior to my leaving England, to maintain but one establishment at Van Dieman's Land—a resolution in which they will probably be confirmed by the communication being now opened between Port Dalrymple and the Derwent. Foveaux desires to return to Europe :

I am thus early in my application, from an opportunity offering of proceeding to England in a few weeks in the Admiral Gambier, and from being extremely anxious to learn personally from the Secretary of State his future views as to Norfolk Island, and to make arrangements with him respecting the settlers sent from thence to the Derwent, and who have applied to me to get them removed to some other settlement. His motives.

I hope it is needless to assure you that, while I remain in the colony, I shall be happy to give you every information, and render you every assistance in my power, should you be pleased to think either likely to further the interest of His Majesty's Government, or to conduce to your personal ease and convenience.

J. FOVEAUX.

GOVERNOR BLIGH TO CAPTAIN PORTEOUS.\*

By William Bligh, Esquire, Commodore, Commanding His Majesty's ships and vessels employed in the South Pacific Ocean.

You are hereby required and directed to put yourself under my command, and follow and obey such orders and instructions as you shall from time to time receive from me, for His Majesty's service. The Naval Commander.

Given under my hand at Government House, Sydney, New South Wales, this 2nd day of January, 1809.

W'M BLIGH.

GOVERNMENT AND GENERAL ORDERS.

Head-quarters, Sydney, 4th January, 1809. 4 Jan.

ALL persons having demands on Government for grain or animal food delivered into His Majesty's stores in this settlement, or on any other account whatever, during the period of Lieutenant-Governor Foveaux's command, are directed to give in their respective accounts immediately to the Acting Commissary; and the Public accounts.

\* Commander of H.M.S. Porpoise.

**1800** Acting Commissary is hereby ordered to make out a return of all  
**4 Jan.** issues from the public stores during the above time, specifying on what account the articles have been issued.

*Public Notice.*

**Paterson in** THE duty imposed on him, consequent on the suspension of the  
**charge.** government of William Bligh, Esq., requires Lieutenant-Governor Paterson to take the command of these territories until His Majesty's gracious instructions shall be obtained, successive causes having until this period protracted his receiving the trust that has become devolved to him for the time-being.

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GOVERNMENT AND GENERAL ORDER.

**9 Jan.** Head-quarters, Sydney, 9th January, 1809.  
**Paterson's** LIEUTENANT-GOVERNOR PATERSON appoints Alexander Riley, Esq.,  
**secretary.** his Secretary.

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GOVERNMENT AND GENERAL ORDER.

**10 Jan.** Head-quarters, Sydney, 10th January, 1809.  
**Port wine.** THE Acting Commissary is directed to have the following division made of the port-wine now in His Majesty's store :—Lieutenant-Governor Paterson, one pipe ; Lieutenant-Colonel Johnston, one ditto. Lieutenant-Colonel Foveaux and Major Abbott having resigned their claim, the remainder is to be divided in the proportion of one pipe to three officers.

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GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 10th January, 1809.  
**Distribution** THE master of the Admiral Gambier having applied for permission  
**of spirits.** to dispose of 700 gallons of spirits, the following division of the same will take place :—Two hundred gallons will be purchased by Government ; three gallons will be taken by each of the civil, naval, and military officers ; and the quantity remaining will be divided into equal portions among those having licenses.\* The port duties on the landing the spirits are to be paid by the master.

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GOVERNMENT AND GENERAL ORDER.

**14 Jan.** Head-quarters, Sydney, 14th January, 1809.  
**Government** THE Acting-Commissary is directed to take the proper measures  
**debts.** to procure, with all possible dispatch, an account of the different sums due to individuals from the Government in this colony, at the period of the suspension of John Palmer, Esq., for which he will have the necessary notification published in the *Gazette* of to-morrow.

\* At the time this General Order was promulgated there were forty-four individuals holding licenses in Sydney.

NORFOLK ISLAND.

7

The Acting-Commissary will also, as early as possible, deliver **1800**  
Lieutenant-Governor Paterson a statement of the whole of the **14 Jan.**  
stores belonging to the Crown in his charge on the 1st instant.

No application for the purchase of stores can be complied with  
until the Lieutenant-Governor has received this return.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 14th January, 1809.

THE Lieutenant-Governor has been pleased to appoint Mr. James **James**  
Larra to be Vendue-Master to the district of Parramatta. **Larra.**

LIEUTENANT-COLONEL FOVEAUX TO COLONEL PATERSON.

Sir, **Sydney, 16th January, 1809. 16 Jan.**

As it may be expedient for His Majesty's service to make **Norfolk**  
you acquainted with the arrangements I have in view (while in **Island.**  
command of the colony) with respect to Norfolk Island, I beg  
leave to enclose you an extract\* of my letter of 21st October,  
1808, to the Under Secretary of State, and of my letter of the  
13th of the same month to Captain Piper,† Commandant of that  
settlement.

As you will perceive by my letter to Captain Piper that I have **Proposed**  
intimated to him my intention of despatching a vessel to remove **evacuation.**  
him, with the greater part of the detachment of the New South  
Wales Corps, and the remaining settlers, to head-quarters, it is  
naturally to be expected that no measures have been adopted by  
them for raising grain sufficient for their wants. It is, therefore,  
necessary that means should be immediately taken for supplying  
them with dry provisions, unless it be your intention forthwith to  
carry into execution the further evacuation of the island. I would  
now, however, recommend that a vessel should be sent for the  
purpose of withdrawing the whole of the military establishment,  
and of the remaining settlers, with the horned cattle, horses, and  
asses, and carrying them to Port Jackson, leaving on the island  
a superintendent, a boat's crew, and a sufficient number of assis-  
tants capable of attending to the culture of the coffee plant and  
taking care of the sheep, which it will not be possible to remove  
with any probability of safety.

I have, &c.,

J. FOVEAUX.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 18th January, 1809.

ALL demands for stores required for the service of Government **18 Jan.**  
are to be left at the Secretary's office, between ten and one o'clock **Issue of**  
of the day previous to that on which they are wanted, signed by **stores.**

\* The extract referred to is printed on p. 784 of vol. vi of these Records. The paragraph  
commencing, "On 30th Sept. there remained."

† The letter to Captain Piper is not available

1809 the several superintendants, who are to attend the ensuing morning  
 18 Jan. at ten o'clock to receive the orders for such as the Lieutenant-Governor may have given directions to be issued; but no demands will in future be attended to on the day they are presented, unless in cases of such particular urgency as may render it absolutely necessary.

When the Lieutenant-Governor has received the Acting-Commissary's return of the stores now in the colony, by which he may be enabled to judge of the quantity there can be disposed of for the uses of individuals, applications are to be left at the Secretary's office, on Mondays, and sent for the ensuing morning.

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GOVERNMENT AND GENERAL ORDER.

20 Jan. Head-quarters, Sydney, 20th January, 1809.  
 Newcastle. LIEUTENANT LAWSON being immediately to proceed to take the Command of His Majesty's settlement at Newcastle, Lieutenant-Governor Paterson appoints John Harris, Esq., Magistrate of Police, to which gentleman all necessary applications and reports will in future be made.

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GOVERNOR BLIGH TO COLONEL PATERSON.

Sir, Government House, Sydney, 20th January, 1809.  
 Articles taken from Bligh. Having particularly informed you of my situation by letter of the 8th August,\* I desire to have the articles therein mentioned to have been seized by a committee, returned to me, the same having been referred to you first by Major Johnston, and secondly by Lieut't-Colonel Foveaux.

Two swords, one pair of pistols, one rifle gun, and one fowling piece having been taken away, I have a desire likewise to have them returned.

I am, &c.,

W<sup>m</sup> BLIGH.

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GOVERNMENT AND GENERAL ORDER.

21 Jan. Head-quarters, Sydney, 21st January, 1809.  
 Andrew Thompson. THE Lieutenant-Governor has appointed Mr. Andrew Thompson, auctioneer for the district of the Hawkesbury.

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COLONEL PATERSON TO GOVERNOR BLIGH.†

Sir, Head-quarters, Sydney, 21st January, 1809.  
 Paterson refuses to interfere. A representation of the measures pursued by Lieut't-Colonel Johnston having been fully submitted by that officer to His Majesty's Ministers, I have judged it would be improper for me to interfere in any manner when their instructions are expected to be so speedily received, in the interim of which any decision of mine would be as indelicate as premature; and it becomes necessary

\* Vol. vi, p. 701.

† Paterson's letters were addressed to W<sup>m</sup> Bligh, Esquire.

I should distinctly inform you that I shall scrupulously adhere to a line of conduct formed on the basis of this conviction—unless I should find a deviation rendered necessary for more effectually accomplishing the several duties of the Government that has so particularly fallen to my charge for the time being. 1809  
21 Jan.

I have, however, transmitted to Lieut't.-Colonel Johnston a copy of your letter, and shall apprise you of his reply.\*

I am, &c.,

W'M PATERSON.

COLONEL PATERSON TO CAPTAIN PORTEOUS.

Sir, Head-quarters, Sydney, 24th January, 1809. 24 Jan.

It having, from the steps taken in consequence of the instructions of His Majesty's Secretary of State for the Colonies, become absolutely necessary that a vessel of burthen should proceed to bring away the greater part of the inhabitants remaining on Norfolk Island, and it being intimated in the above directions that this service should be performed by vessels belonging to the Crown, I am necessitated to request you will cause the requisite arrangements to enable His Majesty's ship Porpoise, under your command, to complete those intentions as early as possible, Government having here in their own possession no other adequate means. Removal of settlers from Norfolk Island.

Begging you will favour me with the information when you judge the Porpoise will be ready to sail.

I have, &c.,

W'M PATERSON.

COLONEL PATERSON TO GOVERNOR BLIGH.

Sir, Head-quarters, Sydney, 25th January, 1809. 25 Jan.

Agreeable to the intimation of my letter to you of the 21st inst. in reply to your requisition of the preceding day, I have now enclosed you a copy of the answer of Lieut.-Colonel Johnston to whom I forwarded the same. Johnston's reply.

I am, &c.,

W'M PATERSON.

[Enclosure.]

LIEUTENANT-COLONEL JOHNSTON TO COLONEL PATERSON.

Sir, Head-quarters, Sydney, 23rd January, 1809.

I have the honor to acknowledge the receipt of your letter of the 21st instant and its enclosure, which was delivered to me last evening.

Many of the papers that were taken from the late Governor being indispensibly necessary to enable the officer in command of the colony to carry on the public affairs, I deemed it expedient, on a similar application to the present one being made to me, to decline coming to any determination respecting their disposal until Lieut.-Colonel Foveaux and yourself should arrive; and I papers.

\* Bligh acknowledged the receipt of this letter, and in doing so he pointed out to Paterson that it was "necessary no person whatever" should be allowed to quit the colony until instructions were received from England.

1809  
25 Jan.  
—  
Important  
evidence.

now beg leave to acquaint you that I am prepared to deliver these papers whenever you should be pleased to receive them. There are other papers that will be materially required to prove the improper conduct of the late Governor—these I feel it will be proper for me to keep; but as there are copies of these prepared, the copies, if you approve of it, can be delivered to the late Governor together with several original papers that are not, in my opinion, of the smallest consequence.

Bligh's  
sword.

The arms that are demanded were taken merely in compliance with the established custom than any other consideration. They were in the possession of the Acting-Adjutant when I resigned the command to Lieut.-Colonel Foveaux, and I believe they are at present in charge of the Quartermaster.

I have, &c.,  
GEO. JOHNSTON.

GOVERNOR BLIGH TO CAPTAIN PORTEOUS.

Bligh's  
orders to  
Porteous.

Sir,  
Government House, Sydney, 25th January, 1809.  
I return you Colonel Paterson's letter,\* and feel great displeasure at your communication. You have orders from me, and it will be at your peril to disobey them.

I am, &c.,  
W<sup>m</sup> BLIGH.

CAPTAIN PORTEOUS TO COLONEL PATERSON. (Bligh Papers.)

26 Jan.  
Porteous  
subordinate  
to Bligh.

Sir,  
His Majesty's Ship Porpoise,  
Port Jackson, 26th January, 1809.  
I have the honor to inform you that Commodore Bligh's answer to my letter enclosing yours on the subject of His Majesty's ship Porpoise proceeding to Norfolk Island puts it entirely out of my power to comply with your request.

I have, &c.,  
JOHN PORTEOUS,  
Commander.

COLONEL PATERSON TO GOVERNOR BLIGH.

27 Jan.  
Paterson  
resorts to  
strong  
measures.

Sir,  
Head-quarters, Sydney, 27th January, 1809.  
From the opposition you have evinced it is your determination of exercising to the interests of His Majesty's service, by withholding the confirmation conceived necessary by Captain Porteous to my request that H.M.S. Porpoise should proceed to Norfolk Island, I feel it my duty to immediately suspend any communication from yourself to Captain Porteous, or any other officer or person belonging to that vessel.

\* Porteous had forwarded Paterson's letter of 24th January, 1809, ante, p. 9, with a request for Bligh's instructions. Porteous's letter, and other correspondence bearing on the question, will be found enclosed in Porteous's letter to the Secretary of the Admiralty of 27th April, 1809, post p. 103.

I am further to apprise you that I have judged it expedient to give directions preventing any person whatever having admittance to you without my written permission, except such as may appertain to your own household.

I am, &c.,

W<sup>M</sup> PATERSON.

COLONEL PATERSON TO GOVERNOR BLIGH.

Sir, Head-quarters, Sydney, 28th January, 1809. 28 Jan.

I must inform you that I have deemed it absolutely expedient, under the existing circumstance affecting this colony and the displacement of your command in it, that you should proceed without any further delay to England by the Admiral Gambier, now in the harbour, a vessel of 500 tons. Bligh to be sent to England.

I am, therefore, to represent you should without loss of time make such arrangements as may be necessary for the convenience of your family, in which every facility within my power shall be afforded you that you may desire.

I feel it necessary to apprise you that I have considered it requisite that Lieut.-Colonel Johnston should, at the same time, proceed to Europe, and that any person you may wish to accompany you shall be sanctioned to leave the colony on your giving me an unequivocal engagement of your holding yourself responsible to His Majesty's Ministers that their presence in England is absolutely indispensable to the interests of His Majesty's service, and provided their absence may may not so essentially interfere with the duty of the colony that their departure, with a due attention to its welfare, cannot be permitted. Johnston and the witnesses.

Requesting information when you judge you will be ready to embark,

I am, &c.,

W<sup>M</sup> PATERSON.

GOVERNOR BLIGH TO COLONEL PATERSON.

Sir, Government House, Sydney, 28th January, 1809.

In answer to your letter of this day, stating that you have deemed it absolutely expedient, under the existing circumstances affecting the colony and the displacement of my command in it, that I should proceed without any further delay to England by the Admiral Gambier, now in the harbour, a vessel of 500 tons, &c., &c.,—I have again to state to you that I deny the legality of my being by force deprived of aiding in the high situation of Captain-General and Governor-in-Chief of this territory; and that under my commission to that effect I still consider myself as such, which no person but His Majesty can dispossess me of; that from his authority I again demand the great seal of the colony, my books containing letters to and from the Secretary of State, commissions, book of appeals, and such others and papers as have been, by an armed soldiery, taken from me. Bligh protests, and demands his papers and books.

1809      That being Commodore and Commander-in-Chief of His Majesty's  
 28 Jan.      ships and vessels employed in these seas, I refuse to give up that  
 ———      command.  
 Bligh's      That, according to your own opinion, orders are soon to be  
 naval rank.      expected from England.  
 An act of      That the present exercise of your power, by keeping my friends  
 oppression.      and every person from me and my family, is a further act of  
 Will Pater-      oppression you must be answerable for.  
 son use      Your letter, being ambiguous, has obliged me to state these cases,  
 force?      and to declare that I will not leave the colony with my own consent.  
                  I, therefore, call upon you to declare categorically whether or no  
                  you mean to force me away.      I am, &c.,  
                  W<sup>M</sup> BLIGH.

## GOVERNOR BLIGH TO COLONEL PATERSON.

Sir,      Government House, Sydney, 28th January, 1809.  
 Bligh's      I have to desire that the Rev'd Henry Fulton may attend  
 chaplain.      my family to perform Divine service on Sundays, according to my  
                  general practice on those days.      I am, &c.,  
                  W<sup>M</sup> BLIGH.

## MESSAGE FROM COLONEL PATERSON TO GOVERNOR BLIGH.\*

30 Jan.      Head-quarters, Sydney, 30th January, 1809.  
 Bligh to      We are directed by His Honor Lieutenant-Governor Paterson to  
 resign his      inform you he cannot allow the interests of the territory over  
 naval      which he has so particularly been called to preside, until the in-  
 command,      structions of His Majesty's Ministers are received, to suffer the  
                  serious injury they must experience by your withholding the ser-  
                  vices of His Majesty's ship Porpoise. We are, therefore, desired  
                  further to state that unless you cause all restrictions to be removed  
                  by which you have prevented Captain Porteous complying with  
                  his request that this vessel should be employed in removing the  
                  inhabitants now remaining on Norfolk Island, we are instructed  
                  to remove you to a barrack provided for your reception until the  
                  period of your departure for England, when a servant will be  
                  appointed to attend and such effectual measures taken as may  
                  become necessary to prevent any further orders being sent to the  
                  commander of His Majesty's ship Porpoise that can in any manner  
                  impede the public service.†      GEO. JOHNSTON.  
                       EDWARD ABBOTT.

## GOVERNOR BLIGH TO COLONEL PATERSON.

31 Jan.      Sir,      Prisoner in a barrack, 31st January, 1809.  
 Bligh's      In answer to the papers delivered to me this morning by  
 explanation.      Lieut't-Colonel Johnston and Major Abbott, I think it necessary  
                  to inform you that they have misunderstood me, not having said

\* The message was delivered by Johnson and Abbott in person.

† Bligh refused to accede to this request, and was removed to the barracks of Foveaux's secretary—J. Finucane.

I had not given any orders to His Majesty's ship Porpoise. Absurdity appears on the face of it, knowing at the time Captain Porteous had enclosed my order in a letter from him to you. 1809  
31 Jan.

Captain Porteous came out as commander of the Porpoise, and must act according to the rules of the Service.

I am, &c.,  
W<sup>M</sup> BLIGH.

COLONEL PATERSON TO GOVERNOR BLIGH.

Sir, Head-quarters, Sydney, 31st January, 1809.

Your contradiction of the assertion of Lieut.-Colonel Johnston and Major Abbott I shall communicate to those gentlemen; but whatever may have been the orders you have previously given Captain Porteous, it now solely remains to me, on this subject, to request you will immediately possess me of your definite sanction or denial that His Majesty's ship Porpoise shall proceed to Norfolk Island. Paterson's ultimatum.

I am, &c.  
W<sup>M</sup> PATERSON.

GOVERNOR BLIGH TO COLONEL PATERSON.

Sir, Barrack, Sydney, 31st January, 1809.

I was brought to this barrack because I refused to sign an order to Captain Porteous for His Majesty's ship Porpoise to proceed to Norfolk Island, and I do still persist in the same. Bligh obstinate.

I am, &c.,  
W<sup>M</sup> BLIGH.

STATEMENT OF LIEUTENANT-COLONEL JOHNSTON AND MAJOR ABBOTT. (Colonial Secretary's Papers.)

31st January, 1809.

LIEUTENANT-COLONEL JOHNSTON and Major Abbott having this morning waited on Commodore Bligh to deliver him an open letter (No. 1) from Captain Porteous,\* with three enclosures (Nos. 2, 3, 4), he denied having made use of the conversation stated in the letter No. 2; but Lieutenant-Colonel Johnston and Major Abbott rejoining that he certainly had, he made no further objection, but asked to be allowed time to answer Captain Porteous's letter, or write an answer to Colonel Paterson, which, being acquiesced in, he said it was his wish to go Home and clear himself to his King and country. Lieutenant-Colonel Johnston and Major Abbott stated it was Colonel Paterson's wish to send him to England that he might not remain in confinement. Lieutenant-Colonel Johnston and Major Abbott then asked Commodore Bligh if he would give a list of the persons he wished should accompany him, to which he replied he did not want any. Bligh and Porteous.

GEO. JOHNSTON.  
E. ABBOTT.

\* The open letter from Porteous to Bligh was probably that printed on p. 107, post. Its enclosures cannot be identified: doubtless one was Bligh's order of 2nd January, 1809, ante, p. 5, and another the letter of 26th January, ante, p. 10.

1809

## GOVERNMENT AND GENERAL ORDER.

1 Feb.  
Reduced  
ration.

Head-quarters, Sydney, 1st February, 1809.

FROM the representation of the Acting Commissary, the Lieutenant-Governor, judging that it is absolutely requisite a reduction should for the present take place in the dry provisions received by those victualled from His Majesty's stores, there will be issued to each full ration, until further orders, ten pounds of wheat, or maize in proportion for any part thereof.

## COLONEL PATERSON TO GOVERNOR BLIGH.

Bligh's  
passage  
taken.

Sir,

Head-quarters, Sydney, 1st February, 1809.

HAVING this morning definitely arranged with the master of the Admiral Gambier the terms on which this vessel is chartered at the charge of Government, that suitable accommodations may be afforded you on your passage to England, I have to inform you she will be ready to receive you on board in fourteen days from this day.

If there are therefore any persons you desire should proceed at the same time, agreeable to my letter of the 28th ult'o, I am to request you will forward me the names that they may receive the necessary apprizal.

I am, &c.,

W<sup>M</sup> PATERSON.

## GOVERNOR BLIGH TO COLONEL PATERSON.

Preparing  
for the  
voyage.

Sir,

Sydney Barracks, 1st February, 1809.

FROM your having informed me by letter of this date that you have chartered the Admiral Gambier at the expence of Government to take me to England, and that she will be ready to sail in fourteen days, I request to know whether any restraint is taken off me so as I may arrange my affairs for the voyage. I do not demand any persons to go Home with me except my daughter, my secretary, and some domestics; the latter I will name as soon as I can communicate with my steward.

From the extreme sickness my daughter suffers at sea, I request that her sleeping apartment may be sufficiently large to swing a cot so as it cannot strike with any motion of the ship\*

I am, &c.,

W<sup>M</sup> BLIGH.

## COLONEL PATERSON TO GOVERNOR BLIGH.

The restric-  
tions on  
Bligh.

Sir,

Head-quarters, Sydney, 1st February, 1809.

IN reply to your letter of this morning, stating you wish to know whether any restraint is taken off you that you may arrange your affairs for the voyage; that you do not demand any person to accompany you but your daughter, secretary, domestics, &c.,—

\* It would appear from this letter that Bligh had either become reconciled to the idea of departing from the colony, or else he was endeavouring to hoodwink Paterson.

# PREPARATIONS FOR BLIGH'S EMBARKATION.

15

I have to request you will inform me of the extent to which you may desire me to remove such restriction as has been deemed necessary to impose on you ; and I beg you to become assured I shall be particularly anxious that every arrangement you may require for the accommodation of your daughter and yourself on board the Admiral Gambier shall be accomplished.

1809

1 Feb.

I am, &c.,

W'M PATERSON.

COLONEL PATERSON TO GOVERNOR BLIGH.

Sir, Head-quarters, Sydney, 2nd February, 1809. 2 Feb.

I beg to inform you that I shall require the master builder to wait on you in the morning with the dimensions of the after part of the Admiral Gambier, to the end that you may point out such accommodations as you desire for yourself and family, and the manner in which you will have them fitted up.

Fitting the vessel.

I am at the same time anxious it should be understood, that if Mrs. Putland considers it proper to retire from the barracks, the Government House is open for her habitation, and any of her friends, and that it is in every other respect at your disposal until your embarkation.

Bligh to be liberated.

I am further to acquaint you that whenever you wish to communicate with your secretary and steward on such arrangements as may be necessary in consequence of your proceeding to Europe, I shall direct that they may attend you in the presence of an officer ; or should you at any time desire to communicate to them in writing, I shall have the same immediately transmitted.

I am, &c.,

W'M PATERSON.

COLONEL PATERSON TO LIEUTENANT-COLONEL JOHNSTON.

(Colonial Secretary's Papers.)

Sir, Head-quarters, Sydney, 2nd February, 1809.

Having found that it has become absolutely necessary to the welfare and interests of the territory that the Admiral Gambier should be chartered for the purpose of Commodore Bligh proceeding to England, I take the earliest opportunity of acquainting you that, in compliance with your several requests, you will by this vessel be enabled to proceed to England that you may personally explain to His Majesty's Ministers the measures you have found it necessary to pursue.

The Admiral Gambier.

You will, therefore, hold yourself in readiness to embark on board the ship in fourteen days ; and should there be any persons you wish to accompany you as unavoidably necessary to the above purpose, I have to request you will furnish me with their names, that they may receive the necessary appraisal.

Johnston to sail in her.

I have, &c.,

W'M PATERSON.

## 1809 STATEMENT OF MAJOR ABBOTT. (Colonial Secretary's Papers.)

2 Feb.

Abbott  
interviews  
Bligh.

Close arrest.

Head-quarters, Sydney, 2nd February, 1809.

IN consequence of Commodore Bligh sending the orderly serjeant to Lieutenant-Governor Paterson this morning to say he wanted to see an officer, I was desired by the Lieutenant-Governor to wait upon him. Commodore Bligh desired I would ask the Lieutenant-Governor if he would permit him to have a communication with his secretary and steward, and also permit Mrs. Putland to go out. I was, in reply, desired by the Lieutenant-Governor to say Commodore Bligh's request could not be complied with; but that if Mrs. Putland desired to go out she would not be prevented, but could not return to the barrack. I added, if he would permit the Porpoise to proceed to Norfolk Island all restraint would be taken off. This he refused to do.

E. ABBOTT.

## COLONEL PATERSON TO GOVERNOR BLIGH.

*Memorandum.*A pledge  
required  
from Bligh.Conditional  
liberation.

IF Governor Bligh will pledge himself to depart from this colony in His Majesty's ship Porpoise within the time stipulated for the sailing of the Gambier, and to proceed with as much despatch as possible to England, and not return to any part of this territory until he shall receive instructions from His Majesty's Ministers, the additional restraint imposed on him will be removed; he will be allowed to communicate with his friends in the same manner as before the 27th of last month\*; and he will be at liberty to return to Government House, and make such arrangements as he may think proper for his voyage. In the meantime, Gov'r Bligh is to promise not to interfere in any manner whatever with the affairs of the colony, nor to throw any impediment in the way of the Porpoise's departure with him.

Gov'r Bligh will be at liberty to take such persons with him as he may think necessary.

## LIEUTENANT-COLONEL JOHNSTON TO COLONEL PATERSON.

3 Feb.

Johnston  
ordered  
home.

Sir, Sydney Barracks, 3rd February, 1809.

I have the honor to acknowledge the receipt of your letter of yesterday's date, in which I am ordered to hold myself in readiness to embark in fourteen days on board the Admiral Gambier, for the purpose of proceeding to England with Commodore Bligh, and of personally explaining to His Majesty's Ministers the measures I have found it necessary to pursue.

His  
witnesses.

In compliance with your orders that I should furnish you with the names of such persons as will be required to give evidence, and which it is unavoidably necessary should accompany me to

\*That is, 27th January. The memo. is not dated; but we know it must have been written on or before the 4th February, 1809.

England, I have also the honor to inform you, that I shall require John McArthur, Esquire, late Secretary to the Colony; Major Edward Abbott, New South Wales Corps; Thomas Jamieson, Esquire, Principal Surgeon; John Harris, Esquire, Surgeon, New South Wales Corps; David Dickenson Mann, Commissary's Clerk; and the persons named by Commodore Bligh in his letter to me, dated the 25th March, 1808, of which the enclosed is a copy.\*

I am, &c.,

GEO. JOHNSTON,

B. Lt.-Col, N.S.W., Corps.

1809

3 Feb.

AGREEMENT BETWEEN GOVERNOR BLIGH AND COLONEL PATERSON

Sydney, New South Wales, 4th February, 1809.

4 Feb

It being deemed by Lt-Governor Paterson absolutely essential to His Majesty's service, and the interests of this colony, to send Governor Bligh immediately to England, and it being the intention of Lieutenant-Governor Paterson to take up the ship Admiral Gambier for his conveyance,—Governor Bligh has represented that it would, on many accounts, be much more desirable to him to be allowed to return Home in His Majesty's ship Porpoise.

Bligh to  
embark for  
England

Lieut.-Governor Paterson, anxious to contribute as much as possible to the convenience of Governor Bligh, consents to his proceeding to Europe in the Porpoise on the following conditions, to the strict and unequivocal observance of which Governor Bligh hereby solemnly pledges his honor as an officer and a gentleman, viz:—

in H.M.S.  
Porpoise.

That he will embark with his family on board the Porpoise on the 20th instant, and will put to sea as soon after as the wind and weather will admit.

That he will proceed to England with the utmost despatch, and that he will neither touch at nor return to any part of this territory until he shall have received His Majesty's instructions, or those of his Ministers. That he will not in any manner, or under any pretence whatever, while he remains in this colony, interfere in the Government thereof, and that he will not throw any impediment in the way of the Porpoise being equipped and proceeding with him on his voyage at the stipulated time.

The consequence of the above pledge, Lieut.-Governor Paterson consents to remove the additional restraints which has been laid upon Governor Bligh since the 27th of last month, and to permit him to return to Government House, and to communicate with his friends in the same manner as previous to that day, to make

Paterson  
agrees to  
remove  
arrest.

\* Bligh's letter of 25th March, 1808, is printed on p. 547 of vol. vi. The witnesses Bligh named were: Atkins, Campbell, Palmer, Arndell, Williamson, Fulton, Gore, Oakes, Rouse, Devine, Thompson, Wiltshire, Crossley, Dowling, and Griffin.

1809 such arrangements as may be deemed necessary for his voyage,  
 4 Feb. and to allow such persons to accompany him as he may think proper to name, agreeable to the proposition contained in the Lieutenant-Governor's letter of the 28th ultimo.

W<sup>m</sup> PATERSON.

W<sup>m</sup> BLIGH.\*

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 4th February, 1809.

Barter. IN order to provide that as equal a distribution as necessary should take place of the stores lately sent out for barter, the Lieutenant-Governor has given directions that no issue of them shall be made the ensuing week except to the officers,† in order to afford all persons who are desirous time to make their applications; but it must be understood that no requests will be complied [with] where there is any reason to believe it is made by parties who will sell the articles obtained.

*Orphan Boys.*

Orphans. All persons who have at this time orphan boys in their service, or under their protection in any manner whatever, are hereby required to give in their names at the Secretary's office as early as possible.

*Public Notice.*

The markets. It being highly inconvenient to hold a market in the town of Sydney where it now stands, His Honor the Lieutenant-Governor is pleased to direct that the Old Parade‡ shall, from the 1st day of March next, be appropriated to that purpose. All persons are therefore forbid vending or exposing to sale any article whatever at the present Market-place after the above period; and those who are desirous of an allotment at the new market, are to apply to Mr. Alcock (who has a plan thereof) for the Lieutenant-Governor's permission. The Magistrate of Police is requested to enforce this regulation.

COLONEL PATERSON TO LIEUTENANT-COLONEL JOHNSTON.

7 Feb. Sir, Head-quarters, Sydney, 7th February, 1809.

In reply to your letter of the 3rd instant,§ in which you enumerate the persons you desire should accompany you to England in consequence of my letter of the preceding day, I am to

\* The signatures of Paterson and Bligh were attested to by Abbott and Finucane.

† This does not necessarily mean that Paterson knowingly connived at the practice of officers engaging in trade. The goods bartered by Government were intended for the consumption of the officers and settlers, by whom they were received. It is easy to understand, however, that it was almost impossible to prevent those to whom they were distributed retailing them more or less openly, either directly or by their factors.

‡ The Old Parade was situated at the foot of Church Hill, where Charlotte-place now joins George-street.

§ This letter is not available.

apprise you that Commodore Bligh having determined to take his passage in His Majesty's ship Porpoise, it is not my intention to charter the Admiral Gambier at the charge of Government. 1809  
7 Feb.

I have, therefore, as there will be from this cause no vessel in the employ of Government by which you can proceed to Europe, to request you will hold yourself in readiness to embark by the first opportunity of a private ship that may present itself. Bligh to sail in the Porpoise. Johnston to sail by private ship.

I am further to acquaint you that I do not at present see any objections to the whole of the persons you have pointed out having my sanction to leave this colony, with the exception of Major Abbott, whose absence from the Corps cannot, with a due attention to the service of the regiment, be possibly permitted; and I must at the same time add, the assistance of John Harris, Esquire, is so much required in the colony at this moment that I wish you to maturely consider if it is possible his accompanying you can be dispensed with, by your taking from him in deposition any evidence he has to afford. Johnston's witness.

Mr. Palmer having this morning made application for my permission to proceed to England, I enclose a copy of the same, with my reply. Palmer.  
I have, &c.,

W. PATERSON.

THOMAS ARNDELL TO VISCOUNT CASTLEREAGH.

May it please your Lordship,

Sir, Hawksbury, N.S. Wales, 7th February, 1809.

Your memorialist begs leave to lay before you what I esteem a duty to His Majesty, my lawful and beloved Sovereign King George, and to his representative, a few remarks relative to the deposing His Excellency Governor Bligh. I have been a resident in this colony from its first commencement,\* and have moved in a publick sphere as a servant to the Crown—in particular for the last seven years, having acted as a magistrate that period at the extensive settlement called the Hawksbury. Arndell on the arrest of Bligh.

Therefore I may be supposed to have some knowledge of the several Governors that have been sent to this colony; and without any disrespect to any, I can freely say that none has appeared to strike at the root of many grievous evils existing in this abandoned Abuses at the Hawkesbury.

\*Thomas Arndell came out with Governor Phillip in the capacity of Assistant Surgeon. He was Principal Medical Officer on board the *Friendship*, on which were one hundred convicts (male and female). During the years 1790-2 he was in charge of the hospital at Parramatta. In July, 1792 (vol. i, part 2, p. 661), he applied to Phillip for permission to retire on a pension and settle on the land. Phillip, anxious to encourage a reputable class of agriculturist, gave him a grant of sixty acres, and strongly recommended his application to the British Government. He was allowed to retire on a pension of £50 per annum (vol. ii, p. 51). In 1801, he appears, from a return sent Home by Governor King, to have possessed 561 acres of land. Of these, 330 acres had been purchased by him from other settlers, and 231 acres were grants from the Crown (one by Phillip, one by Grose, and two by Hunter). His live stock at the time (1801) consisted of 50 sheep, 20 hogs, 6 head of horned cattle, and 4 horses. Arndell appears to have enjoyed the confidence of both King and Bligh; but evidence is not wanting that he was easily led by the dominant party for the time being. See vol. vi, p. 575, note.

1809  
7 Feb. place, and more particularly at the Hawksbury, which did then bid fair to rise high in usefulness to the whole colony from his salutary regulations, and the industrious settlers everywhere always found him attentive and to admiration determined to put a stop to that extortion and oppression prevalent to the great hurt of the country and the industrious, which part of the community ought to be cherished and protected. Religion and the education of the youth were his delight to patronize, and was taking such steps that were calculated to answer the desired object. His commands to me as a magistrate have always been to protect the industrious, and to use every means to secure the grain from being lost by the frequent inundations at this part, by receiving it into the store, &c. I don't know an unjust act that Governor Bligh ever did to anyone under my direction, direct or indirect; and from every circumstance, however to my hurt, I was deceived and led astray\* at the time of His Excellency's arrest, I am satisfied that the deposing Governor Bligh was cruel, unjust, and only from revenge, and to gain wealth at the expence of his peace and the community in general. Your Lordship will be pleased to receive my plain testimony, founded in truth, and which is fully explained by many able hands who have written on the subject; and for my character, I have the satisfaction of referring you to all the Governors that have been in this country. Your Lordship will, no doubt, be surprized to hear that most of the inhabitants signed a paper in favour of the arrest of His Excellency Governor Bligh, &c. The artifice and threats used to this I trust are well known to His Majesty's Ministers. It was done at the peril almost of the lives and property of the frightened inhabitants—not previous to the arrest—in order to cloake them in the measure which threw the whole colony in the greatest consternation, and ever since has proved a stagnation to trade, agriculture, and everything else that's good.

Bligh as a social reformer.

His arrest.

Bogus petitions.

I am, &c.,

THOMAS ARNDELL.

LIEUTENANT-COLONEL JOHNSTON TO COLONEL PATERSON.  
(Colonial Secretary's Papers.)

10 Feb. Sir, Sydney Barracks, 10th February, 1809.  
Johnston's order to leave for England. On the 3rd instant I had the honor to receive your letter, dated the 2nd, directing me to hold myself in readiness to embark in fourteen days on board the Admiral Gambier, for the purpose of proceeding to England with Commodore Bligh, and of personally explaining to His Majesty's Ministers the measures I have found it necessary to pursue; also, that I should furnish you with the names of such persons as will be required to give evidence, and who it is unavoidably necessary should accompany me.

\*Arndell evidently refers to the address of 30th January, 1808 (vol. vi. p. 456), in which he, with others, thanked Johnston for having arrested Bligh, and pledged himself to support the measure with his "life and property."

In my letter of the 3rd I did myself the honor to acquaint you with the names of the persons whose evidence I should require, but not having been favoured with any answer to that communication, and hearing it rumoured you had abandoned your plan of sending Home the late Governor in the Admiral Gambier, I waited in anxious suspense until the 7th instant, when it was notified to me by a General Order that, "It being indispensable that Lieutenant-Colonel Johnston should proceed to England on His Majesty's service, he is required to hold himself in readiness to embark by the earliest opportunity; and, as he cannot be provided with a passage by any vessel in the service of Government, the usual certificate will be given him to receive the allowance ordered by His Majesty's regulations for an officer of his rank." As this Order did not express for what purpose I am to proceed to England, or whether any evidences were to be called upon to attend me, and being incapable of devising by what means I could in this remote settlement procure a passage—there being only two ships about to sail from the port, and these, I am informed, without any certain destination—I was preparing, on the morning of the 8th instant, to solicit some further explanation of your intentions, when I received your letter of the 7th.

1809

10 Feb

Paterson's reticence.

A General Order

After the most attentive consideration of the letter, I am induced to conclude that the purpose for which I am to return to England is the same as is signified in your letter of the 2nd instant; but, as the paragraph which relates to my holding myself in readiness "to embark by the first opportunity that may present itself" is essentially different from the General Order of the same date, I have to entreat you will be pleased to acquaint me whether I am to consider the letter as intended to confirm or revoke the General Order.

Johnston asks for instructions

Your objection to Major Abbott's going to England gives me the greatest concern, as that officer's presence there is, in my opinion, of the utmost importance; and, as you express so strong a desire to retain Mr. Harris in the colony, I am equally concerned to acquaint you it is impossible I can dispense with his accompanying me.

Abbott and Harris.

I presume you will see the expediency of informing the evidences who are to go by what ship passages will be provided for them.

I have, &amp;c.,

GEO. JOHNSTON.

GEORGE SUTTOR TO GOVERNOR BLIGH. (Bligh Papers.)

Sir, Sydney Jail, 10th February, 1809.

Impressed with the most lively sense of the wrongs you have suffered, I feel my indignation roused to an unusual degree at the recent outrage which has been offered to your person. Was it not sufficient that those men, who had so daringly subverted His

Suttor's indignation at Bligh's arrest.

- 1809  
10 Feb. Majesty's Government in the colony, and who have subjected your Excellency to such a long and painful imprisonment, surrounding you constantly with armed men, and impudently circulating the most scandalous falsehoods to undermine your reputation and cheat the deluded people, to answer their own diabolical ends? Was not this sufficient? But they must add afresh to their crimes, as though they had grown wanton in power and would gratify themselves by insolence and cruelty. I own my nature was shocked when I beheld my much respected and worthy Governor forced from his house and taken through the streets of Sydney, under every insult and indignity that could be offered,—your amiable and truly affectionate daughter following in the agony of grief, dreading what might be the fate of her beloved father awhile in the hands of such men. Everything was to be dreaded, particularly when we reflect how deeply they had involved themselves in guilt. Reason and equity, truth and justice, afford but a feeble protection against your enemies, already loaded with crimes, and who possess the armed force of the country. Though perhaps they would not have recourse to the dangerous expedient of putting you to death, yet would endeavour, by the rigour of your confinement and by loading you with calumny, to break your spirits and destroy your health. Happily our apprehensions for your Excellency's safety are in part removed, since you have been permitted to return to your house, and your friends are allowed to visit you.
- Bligh's removal to a barrack. A powerful faction. Bligh's fortitude. Suttor devoted to Bligh.
- It must, sir, I am confident, have required no common share of fortitude to have supported you under the many evils, insults, and calamities that have surrounded you during your long and painful confinement in this infamous country. But, sir, the just and virtuous mind always finds resources within itself which enables it to bear up against the baseness and ingratitude of mankind; such alone can have supported your Excellency, confident in your own uprightness, and the goodness of your intentions, such reflections alone are capable in times of affliction and distress of giving comfort. Believe me, sir, when I tell you this is the language of sincerity, and that it is from the heart of one who is devoted to your cause from a sense of the wrongs you have suffered, and who is further instigated to give you his support from a sense of duty. Respect and attachment to your Excellency I consider as loyalty to my beloved Sovereign. Though I am now suffering for that attachment I esteem it an honor. Yes, sir, I thank God that I have had discernment to know the duty I owe to my King and country, and that as an Englishman, as a British subject, I am bound to risk my life in their defence. And shall I not abide by my lawful Governor—him who has spent a long life in their service, who has so frequently exposed his life for their glory, and who in the service of his King and country has gained immortal honor.

If the laws are not enforced and respected, how can we hope for their protection? When an individual daringly puts the law at defiance, and places himself above all established authority, and having corrupted the armed force to join him, what then remains to enforce and protect the laws in a colony so far removed from the Mother Country? History informs us that Governments have commonly been overturned by that power which was fed to protect them. The evil has here been some time growing, and having met with an incendiary, fit to put it in motion, it at length burst forth. One of the first causes of our present evils was the officers of the establishment connecting themselves with the convict women, with whom they think it no disgrace openly to cohabit and appear in public as though they were their lawful wives; and, indeed, these women have a much greater influence over them than a virtuous woman, and instigate them to things which a virtuous woman would be ashamed of. This brought on a connection with the other class of convicts, and laid the foundation for dealing and extortion, and made the interest of the officers and convicts inseparable. Another evil had its root in the enlisting convicts into the New South Wales Corps. How is it possible that men who have for the most part, from the earliest period of their lives, been accustomed to violate laws and property can become the guardians of either?

It was obvious to every one that the measures your Excellency had adopted were calculated to remove many existing abuses, and promote generally the welfare of individuals and the prosperity of the colony. But the evil had gone too far; the remedy, though a good one, was applied too late. However, it is to be hoped that the daring outrages which have been committed will rouse the vigilance of Government, and lay open the secret springs of baseness which have so long existed in the colony.

Let a Governor's abilities be ever so great, he can do nothing here unless he is supported by virtuous and honourable men, who will do their duty. The object of the officers has been to accumulate wealth, and, from the length of time they have many of them been in the colony, and the authority and influence they have had, together with their connections, has given them great opportunity of gratifying their avarice. As long as they had a Governor who would parcel out the land to them, and would buy their support with permits for spirits and other indulgences, it was very well; but when a Governor came, unacquainted with the mean arts by which they were to be managed, but who was determined to do his duty, and to govern from himself, who looked to the general good, whose object was to suppress vice, to cherish and promote industry by every laudable means—a combination was quickly formed against him, and every obstacle thrown in the way of his Government, and they soon agreed that if he would not be governed by them he should not be Governor.

1809

10 Feb.

Protection  
of the law.A growing  
evil.Officers and  
convicts.Bligh's  
reforms.The  
Governor  
powerless if  
unaided.Bligh's  
policy.

1899  
10 Feb  
Wealthy  
emancipists.  
Honest  
poverty.  
The law  
courts.

I leave every man to judge how formidable the opposition to a Governor may be made when there are men in the colony who came convicts who are said to live at the rate of three thousand pounds a year. Our Courts of Justice are not free from objection—they in a great measure made every man dependent on the military, and he who shall be so unfortunate as to offend one of these can have but small hopes of justice. In the present system, an honest and independent spirited man, if he lives in this colony, must be content with poverty and misery. I would ask any unprejudiced man what chance of justice I could expect, when, out of respect and duty to your Excellency, I had given offence to Colonel Foveaux. He appoints six of his officers to try me, then immediately under his command. This is certainly contrary to every principle of justice. It is true, while there is a Governor independent of the military, there is an appeal beyond them; but in the present unfortunate state of the colony there is none, and all causes, both civil and criminal, will be decided agreeable to their interest.

Whatever fate may attend you, sir, I shall be proud to be ranked among the number of your friends, and my services be ever, both from duty and inclination, at your command.

I have, &c.,

GEO. SUTTOR.

LIEUTENANT-GOVERNOR COLLINS TO COLONEL PATERSON.

Government House, Hobart Town, Van Dieman's Land,

11 Feb.  
Stores for  
Hobart.

Sir, 11th February, 1899.

I have the honor to acquaint you that the Venus schooner arrived here from Port Jackson on the 29th December last, having on board 300 bushels of maize, a quantity of slop clothing and bedding upon Government account, and a small investment for barter. I did not acknowledge by her the receipt of these articles as the master informed me he should be at least three months on his return to Sydney, previous to which period I thought it extremely probable I should find a more direct conveyance for my communication with you. Such has now offered by the departure of the brig Hiberina, which arrived here on the 4th instant from Calcutta, with a cargo on speculation.

Food  
supplies.

I have now to acquaint you that nearly every article of bread kind in His Majesty's stores being expended, I commenced receiving potatoes as a substitute on the 6th instant, at 2½d per lb., issuing 16 lb. thereof as a ration for each male for one week. I think it likely, from the quantity grown in the settlement, I shall at the least procure sufficient of this valuable article for the consumption of four months. The late harvest was all well got in and secured, but much more than what is produced from the Government farm in clean wheat will be required by the settlers

as seed for the ensuing season. Our quantity of salted meat appears in the accompanying return of provisions from the Deputy-Commissary, by which, sir, you will judge of the propriety of sending hither a supply of grain and salt provisions proportionate to our numbers.\* 1800  
11 Feb.

The several articles of slop clothing sent by Lieutenant-Governor Foveaux proved extremely welcome, as the prisoners I brought with me from England had been for some time in nearly a state of nakedness. The bedding I shall probably reserve for them until the season is colder, when they will be found to be of real comfort.

\* \* \* \* \*

I have, &c.,

DAVID COLLINS.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 11th February, 1809.

THE Lieutenant Governor having learnt that some attempts have lately been made to purchase grain from the settlers with spirits and wine, contrary to the existing General Orders,† he requests the magistrates to use every exertion in preventing this injurious practice, and in no instance to omit enforcing the penalties provided by the regulations of the colony for the offence. Trafficking with spirits.

COLONEL PATERSON TO LIEUTENANT-COLONEL JOHNSTON.

(Colonial Secretary's Papers.)

Sir, Head-quarters, Sydney, 12th February, 1809.

12 Feb.

I have enclosed you a copy of the notification I purpose forwarding to-morrow to such persons as you have demanded should accompany you to England, on which subject, and on that of Mr. Palmer's proceeding in H.M.S. Porpoise, I request to see you in the morning. Johnston's witnesses.

I have, &c.,

W<sup>M</sup> PATERSON.

[Enclosure.]

Sir, Head-quarters, Sydney, February, 1809.

Lieutenant-Colonel Johnston being [about] to embark in the ship Admiral Gambier for Rio de Janeiro on his passage to England, he has demanded that you shall proceed also to Europe with those evidences he considers requisite to explain to His Majesty's Ministers the measures he has judg'd it necessary to adopt. Johnston to embark for England.

I therefore inform you of the same, and that I have stipulated with the master that such persons as may accompany Lieutenant-Colonel Johnston in consequence of this notification shall have Passage to Rio.

\* On 30th March, 1809, Paterson despatched the schooner Endeavour with 1,000 bushels of wheat, grown at the Hawkesbury; she was followed by the Pegasus with a further supply of grain and salt meat. The returns referred to by Collins are not available.

† See Bligh's Government and General Order of 14th February, 1807, vol. vi, p. 253, and Castleburgh's remarks thereupon, p. 400, ib.

1809 accommodation in the above vessel free of expense to the afore-  
 12 Feb. mentioned port; but this being as far as her destination can now  
 be ascertained, it will render all further arrangements on this  
 subject dependent on Lieutenant-Colonel Johnston.

W<sup>m</sup> PATERSON.

LIEUTENANT-COLONEL JOHNSTON TO COLONEL PATERSON.  
 (Colonial Secretary's Papers.)

13 Feb.

Sir, Annandale, 13th February, 1809.

I am much mortified that I am prevented by severe indis-  
 position from waiting upon you this morning.

Johnston  
and  
PaterSON.

As I have not been consulted respecting any of the steps you  
 have found it expedient to take with the late Governor, I must  
 beg to decline offering any opinion on the letter you propose to  
 send to the persons who I, in obedience to your orders, have  
 named as evidence to proceed to England.

The same consideration obliges me to decline interfering on the  
 subject of Mr. Palmer's letter.

As you appear to have determined that I shall be provided with  
 a passage in the Admiral Gambier, I take the liberty to request  
 information when it is probable she may sail.

I have, &c.,

GEO. JOHNSTON.

COLONEL PATERSON TO LIEUTENANT-COLONEL JOHNSTON.  
 (Colonial Secretary's Papers.)

Sir, Head-quarters, Sydney, 13th February, 1809.

Johnston's  
reply to  
PaterSON.

Having yesterday represented that I wished to see you on  
 the subject of a notification I purposed to have sent this morning  
 to such persons as you have demanded should accompany you  
 to England, and also on the application of Mr. Palmer to proceed  
 in His Majesty's ship Porpoise,—I have now before me your  
 reply to the same, stating that as you have not been consulted  
 respecting any of the steps I have found it expedient to take  
 with the late Governor, you must beg to decline offering any  
 opinion on the letter I propose to send to the persons who you,  
 in obedience to my orders, have named as evidences to proceed  
 to England, and that the same consideration obliged you to decline  
 interfering on the subject of Mr. Palmer's letter.

Johnston's  
witnesses.

Under such circumstances, I have, therefore, but to repeat to  
 you that any of the persons named in your letter of the 3rd instant  
 and its enclosure, "shall have my sanction to leave the colony,"  
 with the exception of Major Abbott; but I decline taking any  
 further steps on the subject of their departure than granting such  
 permission, having stipulated for their passage in the Admiral  
 Gambier, free of expense, to Rio de Janeiro, being as far as the desti-  
 nation of any vessel now on the point of sailing can be determined.

I, therefore, apprise you of this being my intention, that you may, if you judge necessary, inform the evidences you require of the purport of the enclosure in my communication of yesterday. 1809  
13 Feb.

I further beg to acquaint you that the master of the Admiral Gambier has notified to me this vessel will be ready to leave the harbour in ten days.

I have, &c.,

W. PATERSON.

LIEUTENANT-COLONEL JOHNSTON TO COLONEL PATERSON.  
(Colonial Secretary's Papers.)

Sir, Annandale, 14th February, 1809. 14 Feb.

I have the honor to acknowledge the receipt of your letter of yesterday's date, and beg leave to acquaint you that I shall hold myself in readiness to embark on board the Admiral Gambier, or any other ship, whenever you shall be pleased to order me. Johnston ready to embark.

I have, &c.,

GEO. JOHNSTON.

MEMORIAL OF REV. H. FULTON, CHAPLAIN.\*

Sydney, New South Wales, 14th February, 1809. 14 Feb.

To the Right Honorable Lord Viscount Castlereagh, His Majesty's Principal Secretary of State for the Colonies, &c., &c., &c.

The Memorial of the Rev'd Henry Fulton, Acting Chaplain of New South Wales,—

Most respectfully sheweth :—

That your Lordship's memorialist was appointed to the chaplaincy of Norfolk Island in the year 1801 by Governor King, which appointment was confirmed by Lord Hobart, as appears by his letter to His Excellency Governor King in the beginning of the year 1803 ; that your Lordship's memorialist continued to perform the duties of his office in that island unto the end of March, 1806, when he was recalled to Port Jackson by the said Governor King, and arrived at Sydney, New South Wales, on the seventh day of April ; that he assisted the Rev'd Samuel Marsden from that time unto the departure of Governor King and the Rev'd Samuel Marsden from the colony on the tenth day of February, 1807, at which time the whole of the duties of the territory devolved on him ; these duties he continued to perform unto the 26th day of January, 1808, when Major, now Lieut.-Colonel, George Johnstone, of the New South Wales Corps, led the whole battalion at headquarters to Government House, Sydney, and confined His Excellency, Governor Bligh, within the premises of Government House, seized the Great Seal of the colony, all his papers, the papers of the Commissary and Judge-Advocate, and subverted the whole Government, appointing his own creatures, and the creatures of

Fulton appointed Chaplain at Norfolk Island.

Locum tenens for Marsden.

Arrest of Bligh.

\* Two letters were previously sent to Lord Castlereagh by Fulton, one in April the other on July 20th, 1808. The latter only has been preserved in the London Record Office. Extracts from it will be found printed on pp. 695-8 of vol. vi.

1809  
14 Feb.  
Fulton's  
previous  
letters.

The real  
cause of the  
trouble.

Bligh's  
firmness.

Bligh  
confined for  
twelve  
months.

The naval  
officers.

John McArthur, Esquire, to the places of Judge-Advocate, Commissary, Provost-Marshal, Magistrate, &c. ; that the immediate causes of these extraordinary acts are detailed in two letters which your Lordship's memorialist had the honor of transmitting to your Lordship—one by the ship *Dart*, which sailed from Port Jackson on the 17th of April last, and the other by the *Rose*, Richard Brooks, master, which sailed from hence the beginning of last September ; to these letters he refers your Lordship for particulars, lest he should become too tedious by repetitions ; that though the immediate cause of the subversion of His Majesty's Government in this territory was Governor's Bligh's unwillingness to be compelled, by six of the members of a Criminal Court, to suspend His Majesty's Judge-Advocate and substitute another in his place who would suit the purposes of a Botany Bay faction, yet the cause lies deeper than would appear to a superficial observer. A Governor, weak or wicked, and willing to sacrifice the interest of the English nation to his own private advantages and that of a faction, may keep his situation during life ; but a man who governs, like His Excellency Governor Bligh, according to your Lordship's instructions, and in a manner which will not subserve the purposes of smugglers and monopolists, will soon have his Government subverted, and all his honest adherents involved in ruin. And because they take this step, for causes which they dare not avow, they fabricate accusations against him of crimes which never had any existence ; his most impartial and just proceedings will be objected to as if they were the greatest crimes ; and they will record words spoken perhaps in the hours of relaxation, or in the time of irritation, which they have endeavoured to produce these expressions new modelled, with additions and misrepresentations will be used to excite the disapprobation of the inexperienced and ignorant against him. That His Excellency Governor Bligh has been confined now more than twelve months in Government House, where he has been variously harrassed, threatened, and insulted. The officers of His Majesty's ship *Porpoise* being intimate friends of the New South Wales Corps, and of John McArthur, Esq'r., also joined with them in supporting the rebellion. One of them (Symonds) appointed himself captain of the *Porpoise*, was made a magistrate, and acted as a member of their Criminal Courts. Kent and Ellison were members of their Criminal Courts, and though His Excellency Governor Bligh appointed Kent to be Acting Commander of the *Porpoise*, he (Kent) afterwards refused to obey him, and carried the ship to Port Dalrymple, contrary to His Excellency's will and without his orders. That when Captain Porteus arrived with Lieutenant Oxley, His Excellency warned them of the impropriety of associating with rebels, invited them to his house and table, but told them if they became intimate with rebels they could no longer be considered as

his friends. Notwithstanding this, they soon accepted invitations to dine from the principal rebels, and became their intimate friends ; and it is confidently asserted that Captain Porteus and Lieutenant Oxley have accepted grants of lands from them to the amount of a thousand acres each. Besides, after the arrival of Lt.-Colonel Paterson, who superseded Lt.-Colonel Foveaux in the government of this colony, Porteus and Oxley joined in a letter of thanks to Foveaux for his good government, though he (Foveaux) had disobeyed, harrassed, and seriously insulted their Governor and Commodore ; that when, by Lt.-Governor Paterson's order, great indignity and outrage were lately offered to their Governor and Commodore's person, and that they could easily have awed them who obeyed, and Paterson who gave the order, to desist, by threatening them with the guns of His Majesty's ship Porpoise, they acquiesced in these outrages, were seen in familiar conversation with the rebels, and used no endeavours to liberate His Excellency from his very close confinement ; for Colonel Paterson wished that Captain Porteus should go to Norfolk Island in His Majesty's ship Porpoise to compleat the evacuation. Porteus wrote to the Governor concerning this request, who refused to comply with it, in a letter in answer to that sent by Captain Porteus. This letter Porteus sent to the rebels, in consequence of which the Governor was put in close arrest by seven sentinels and a sergeant placed on Government House, and orders given that no friend should be permitted to see him except on application made. Your memorialist was permitted to enter once and return on Sunday, the 29th January last, that he might perform Divine service as he was wont to do. Next day, Lieutenant-Colonel Johnstone and Major Abbott came to Government House in a one-horse chaise, told His Excellency that he (the Governor) must sign an order, which one of them held in his hand, for Captain Porteus to sail in the Porpoise to Norfolk Island, declaring at the same time, if he refused, they would carry him to a subaltern's barrack and confine him there, with one servant, who would be denied the privilege of going out and in, but must receive his victuals or other necessaries at the door from other servants who would bring them there, and they would prevent every friend from visiting or speaking to him until he (the Governor) signed it. As His Excellency in a most determined manner persisted in his refusal, they took him into the chaise and drove him over to the barrack, when Mrs. Putland, his daughter—an example of filial affection—ran after the chaise, at a time of intense heat, under the rays of a vertical sun, and accompanied him into his prison, panting and almost fainting, though she could not obtain admission but by promising that she would submit to the same confinement which they had imposed on her father. They even added the additional hardship of denying her during two days the indulgence of her maid servant, and finally

1809

14 Feb.

Porteus  
and Oxley.

Foveaux.

Bligh's confinement in  
a barrack.

Close arrest.

The naval  
command.Bligh removed from  
Government  
House.Mrs.  
Putland.

1809	did not admit the maid servant until she promised also to remain
14 Feb.	a prisoner. Here they kept His Excellency from Monday to Saturday evening, and, when they could not prevail, ordered him to prepare to be put on board the Admiral Gambier, a ship which lay in the harbour. When he (the Governor) objected to the accommodations proposed in that ship, where they said McArthur and Lt.-Colonel Johnstone were to take their passage, they offered soon after His Majesty's ship Porpoise as an alternative, which offer he accepted.* That His Excellency Governor Bligh has been repeatedly threatened to be sent out of the territory from the time of his first confinement, the 26th January, 1808; but his departure has been delayed on various pretences until this period; that his absence now, when forces may be expected soon from England, may cause inconvenience and contribute to baffle His Majesty's designs by the arts which may be used to intimidate witnesses and delude a stranger, on his first arrival, who may be sent here in command of troops, the richest, and what might be supposed the most respectable and honorable, officers being most engaged in the rebellion and most affected by the causes which led to it. Of this they seem to be aware, and avail themselves of it, and openly boast that they will be able to delay justice by these means for five or six years. That, because His Excellency Governor Bligh is a man of inflexible integrity, courage, and determination, a Botany Bay faction (if I may so speak) cannot direct him, according to their views and designs; they cannot have spirits at will to sell and barter; they cannot have the goods sent out here to barter with the settlers for grain and hogs at a very low price, in order to encourage those people who are employed in agriculture and for the benefit of the colony at large,—I say they cannot have them for money at a very low rate, that they may sell them by retail and barter at an enormous price, according to the present practice; they cannot, by pretended sales of ships to Americans and Portugese, carry on a smuggling trade to China by bartering for tea, sandal-wood—which they obtain in large quantities now in the islands of the Pacific Ocean; they cannot have such immense grants of land and Government cattle as will enable them still more to controul a Governor and leave him helpless in their hands; they could not, while Governor Bligh held the reins of Government, treat him with contempt, or carry on seditious practices, without being brought to justice for so doing; they could not make the Benches of Justice and Criminal and Civil Courts the instruments of faction, and of a subordination which places the New South Wales Corps and their creatures at the head of everything; and so much have they attended lately to their own gain, and neglected the general good, that the crops this last
H. M. S. Porpoise.	
Bligh's departure delayed.	
Fulton's charges against the officers.	
Merchant soldiers.	
Insubordination and sedition.	

\* It will be noticed that Fulton refrains from making any allusion to the conditions on which Bligh was allowed to embark on the Porpoise.

harvest are greatly diminished, and even a scarcity dreaded this year, notwithstanding the great plenty which was in the colony when His Excellency Governor Bligh was first confined. That their eagerness to possess themselves of the property of the colony was their inducement to confine Governor Bligh. They have the arms, the discipline, the Courts of Justice, the magistracy, and the riches of the colony in their hands; and woe be to the man who dared to think differently from them. In short, they are erecting a building which, if permitted to go on, will, without any confusion to them, enable them, sooner than may be expected, to bid defiance to the English nation, which they have already so grossly insulted in the person of His Majesty's representative. They are building a Babel, and I have not a doubt but some officer of integrity, who loves the empire at large, will come down with sufficient strength from England, like the instrument of the Deity, to confound their languages and scatter them over the face of the land. That officers come here without fortune or principle, and often without information or sagacity enough to see the tendency of these proceedings. It cannot therefore be wondered at that they are soon corrupted by the prospects of gain which are held out to them, in controuling or confining a Governor, to follow the example of those whom they find here before them and betray the interests of that nation and Sovereign by whom they are supported. We cannot wonder that naval officers, without any resentment, will suffer themselves to be accounted inferior to the military. Doctor Harris and Major Johnstone encouraged Lieutenant Ellison, of H.M.S. Porpoise, to marry a lady whose mother was a convict, and were present at the marriage, though they would not suffer an officer of the New South Wales Corps to do the same; nor did the other naval officers seem to be hurt by the distinction. That reports are circulated of, and pretended crimes attributed to, the Governor with great industry, to alienate the minds of the people from him; and if any person has sagacity enough to see the cause of these things and maintain his fidelity and support to a Governor, he must very accurately watch his own steps; for if the appearance of a crime is found in him they will pretend it to be of the most serious nature—often lawful actions and bounden duties are interpreted as crimes, and the person disgraced by unprincipled justices and members of Criminal Courts. If the person be in debt, his creditor, under the influence of this junto, immediately acts an unjust or unmerciful part in seizing his effects and selling them at half value, and incarcerating his person. That your Lordship's memorialist has been silenced from doing the public duties of his office since the 26th day of Jan'y, 1808, partly by their first issuing an order to that purpose on account of his well-known attachment to the Governor and Government, and partly because, when long after they wished that he would perform publicly the

1809

14 Feb.

A scanty harvest.

A biblical parallel.

The prospect of gain.

A heinous offence.

Abuses of power.

1809  
14 Feb.  
Fulton's  
stipend.

Ejected  
from his  
barrack.

duties of his office, he was afraid lest he should be involved in the crime of treason by acting thus by rebels. That your Lordship's memorialist has acted as domestic chaplain for His Excellency Governor Bligh since his confinement, and hopes, as he has a large family, that his pay will not be discontinued on account of the part which he has taken in this unprecedented affair, for he is determined not to act unless for those of know[n] loyalty until the people of the colony receive punishment or pardon for their crimes; and thus he must act with great caution, as making any distinction might expose him to great persecution from the present Government. That your Lordship's memorialist was, immediately after the 26th day of January, 1808, ordered out of his barrack and under the necessity of purchasing a house for his family to dwell in. That his removal was the cause of great loss and damage, and that he has since been deprived of many advantages which he would have otherwise possessed by the indulgence of Government. That your Lordship's memorialist has got into considerable debt on all these accounts, which will be increasing unless his agent in London receives his pay, as he was wont to do while memorialist was in the execution of his office.

HENRY FULTON.

LIEUTENANT-COLONEL JOHNSTON TO COLONEL PATERSON.  
(Colonial Secretary's Papers.)

15 Feb.  
Johnston  
and  
Macarthur.

Sir,

Annandale, 15th February, 1809.

Allow me to return you my thanks for the orders you have given to the master builder to observe my directions in fitting up cabins on board the Admiral Gambier; but, as I understand by your letter of the 13th instant that it is not your intention to order any of the officers Home who I have required as evidences, and as it is certain they will not accompany me unless they receive your orders, no cabins will be wanted except one for myself, and another for Mr. McArthur.

Funds.

As I shall be obliged to take passages for that gentleman and myself from South America to England, I have to request your instructions on whom I can draw for the amount of the expence I may be necessitated to incur.

I have, &c.,

GEO. JOHNSTON.

THE TRANSPORT BOARD TO GEORGE HARRISON.\*

16 Feb.  
Soldiers'  
wives.

Sir,

Transport Office, 16th February, 1809.

We have received your letter of yesterday's date, signifying the direction of the Right Hon'ble the Lords Commissioners of His Majesty's Treasury that we should provide a passage to New South Wales, for the wives and children of the men of the 73rd Regiment who are under orders for that colony.

\* Harrison was one of the head officials of the Treasury.

In return, we acquaint you, for their Lordships' information, that we have received no orders to provide for the 73rd Regiment, but that it is understood that two of His Majesty's ships are fitting for the conveyance of this regiment to New South Wales.

1809  
16 Feb.

We are, &c.,  
AMBROSE SERLE.  
J. BOWEN.  
G. P. TOWRY.

## SETTLERS' MEMORIAL TO VISCOUNT CASTLEREAGH.

17th February, 1809.

17 Feb.

To the R't Hon. Visc't Castlereagh, His Majesty's Principal Secretary of State for the Colonies.

The memorial of the undersigned, who came free into the colony,—  
Most respectfully sheweth :—

That your memorialists had no hand, act, or part in the rebellion that now exists in this colony.

Settlers  
loyal to  
Bligh.

That they do abhor and detest the said act, its aidors, and abettors, and were every way fully satisfied and content under His Excellency's (Governor Bligh's) administration. His Excellency was doing all that public virtue or private worth could accomplish to correct abuses, re-establish discipline, protect and encourage sobriety and industry.

That your memorialists believe the following causes principally led to the rebellion :—That the officers had been (and still continue) merchants, traders, and dealers, which was carried on by employing convicts as their agents in different parts of the colony, by which means a great number of the inhabitants are in debt to them or their agents, which gave them a dangerous influence; and they had entered upon expensive establishments, which nothing but a continuance of abuses could support. *That there is no nutritious liquor produced in the colony, either as a restorative to the sick or laborious. That our present rulers monopolises the whole of the spirits brought into the colony at about ten shillings per gallon, which they retail at from two to six pounds per gallon.\** They had for years commenced land-jobbing. This went so far as the selling of land before the grant was obtained, and was declared a legal transaction by two civil Courts. That nearly whole districts were bought up by a few wealthy individuals, and the most obnoxious convicts placed on them as tenants, with the labor of a certain number of convicts assigned to them by the landlord. These farms became haunts for thieves, and gave them an opportunity of sallying out, committing rapes and robberies in various parts of the colony, and plundering the industrious.

Charges  
against  
officers

Spirits.

Land-  
jobbing.

\* The sentences printed in *italics* are in a different handwriting to the other parts of the document.

1800  
17 Feb.  
—  
Impeding  
agriculture.  
Assigned  
convicts.

The officers were interested in impeding agriculture : the more settlers were ruined the cheaper they could purchase estates ; the less grain grown by the settlers, the better prices they had for their own.

The number of convicts let off the stores on their own hands wander about as pedlars ; and many without any visible employment lurking about farms, of the above description, is highly injurious to your memorialists.

Stores.

That your memorialists are obliged to pay for labour in the produce of their farms, are charged as the officers, who pay in their own promissory notes, which they redeem with property in some instances at one thousand p'r cent. profit, principally obtained from His Majesty's stores, when your memorialists cannot obtain the articles of the first necessity, though paid for twelve months beforehand.

Favouritism

That your memorialists do find themselves agrieved by the persons holding the present Government, by inserting in the *Sydney Gazette* a catalogue of articles with the prices annexed, likewise cows, each to be bartered for wheat ; but after the wheat was turned in, they were obliged to wait till the officers had selected the most desirable articles, which are now selling by their agents in all parts of the colony at very exorbitant prices.

Corrupt  
judges.

That your memorialists are without any protection from the law or public orders, the magistrates publicly declaring they acted by their own discretion. That when your memorialists applied for protection they were frequently treated with insult ; and if they presumed to appeal to the Governor\* they were lyable to be dragged to prison by convicts and locked up without meat, drink, fire, or candle, or even straw to lye on, with the most abandoned thieves.

Excessive  
punishment.

That in one instance one of your mem.'s was locked up in the same cell with three malefactors under sentence of death, tried, fined, and imprisoned without being taken before a magistrate, remanded, and again confined with the above malefactors. The settler's name is John Bowman. His offence was unguardingly saying that Nicholas Bayly was a rogue in recommending and promising to support his (Jno. Bowman's) serv't in prosecuting his master for false imprisonment, because he failed in convicting his servant of felony owing to the witnesses for the Crown not being summoned by the Provost-Marshal, tho' the serv't had acknowledged the offence before the magistrate.

Confidence  
in Bligh.

That your memorialists have not entered into details, as that would be too tedious ; but refer your Lordship to His Excellency Gov'r Bligh, who they consider every way worthy of the high trust reposed in him by our most gracious Sovereign.

\* The reference is to the military officer acting at the time as Lieutenant-Governor.

That your memorialists consider the late rebellion dangerous to all regular Governments ; dangerous in example to the British colonies, and destructive to military discipline. 1809  
17 Feb.

That your memorialists, placing confidence in your wisdom, justice, and humanity, pray for such protection and relief as in your Lordship's wisdom may seem meet.

And your memorialists, as in duty bound, will ever pray.

We remain your Lordship's, &c.,

JOHN HOWE.	JOHN TURNBULL, Sen'r.
JOHN JOHNSTONE.	RALPH TURNBULL, Jun'r.
AND'W JOHNETON.	W'M BOWMAN.
JAMES MEIN.	JOHN BOWMAN.
JAMES DAVISON.	THOMAS ARNDELL.
CALEB WILSON.	ROBERT MARTIN.
CHARLES GRIFFITHS.	RICH'D ROUSE.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 18th February, 1809. 18 Feb.

THE demands for articles brought by the Sinclair having so considerably exceeded the quantity originally contained in the investment, the Acting-Commissary will prepare a return of the total amount applied for in order to afford the means of adjusting the portion that can be permitted to the several applicants. Goods for barter.

To enable this officer to compleat such statement, all further demands must, therefore, be presented by Friday next, after which day they cannot be attended to.

#### CIVIL OFFICERS TO GOVERNOR BLIGH. (Bligh Papers.)

18th February, 1809.

WE, the undersigned, beg leave to express our affliction and distress at the shameful manner in which your Excellency has been treated for more than twelve months past, and also our disapprobation and abhorrence of it. Our grief and sorrow would be extreme on seeing the British nation in general, and our most gracious Sovereign in particular, slighted and insulted in the person of any Governor, our King's representative ; but these feelings are still rendered more pungent and intense when we behold your Excellency thus confined, harassed, and variously insulted, and, after so long a period of suffering, forced out of the colony on account of your courage, determination, integrity, and fidelity to your Sovereign in promoting the general good, in opposing smuggling and monopoly, in repressing seditious practices, in causing the laws to be executed with impartiality, and rendering the rich as well as the poor amenable to them. We see with sorrow and alarm that John McArthur, Esq., is so far above control as to be able to subvert the Government in order to rescue

Friendly officers.

Explanation of antipathy of monopolists.

John Macarthur.

1809  
18 Feb.

The spirit traffic.

Agriculture declining.

himself from justice ; and we therefore fear for our lives, liberties, and properties when an individual settler possesses so much power. As he has done this by his influence over the officers of the New South Wales Corps, we must express our belief that their eagerness to possess themselves of the property of the colony by getting spirits to sell and barter, by getting the goods which were sent out to the stores by Government to sell to the settlers at great profit to themselves, and by various advantages which they promised themselves, or imagined they would possess, was the motive by which they were actuated in rescuing McArthur and subverting your Excellency's Government. With regret we behold the agriculture of the colony, which was brought to a flourishing condition by your Excellency's wisdom, declining, and a scarcity dreaded. We see doubt, uncertainty, and fear take the place of confidence and industry ; and now, at your Excellency's departure, we pray for your speedy return, are grieved that we are not able to prevent your expulsion, as our enemies have the discipline and the arms of the colony in their hands, and we pledge ourselves, when there is any probability of success from forces sent out to assist from England, that we will support them at the risque of our fortunes and our lives.

JNO. PALMER, Commissary.  
W'M GORE, Provost-Marshal.  
HENRY FULTON, Chaplain.

THOS. ARNDELL.  
RICH'D ROUSE.  
CHRIS'R PALMER.

CAPTAIN BRABYN TO COLONEL PATERSON.

(Colonial Secretary's Papers.)

Launceston, Port Dalrymple, Van Diemen's Land,

Sir, 18th February, 1809.

Public buildings at Launceston.

Bricks.

I have the honor to inform you that when I arrived at Launceston, which was on the 26th December, I expected to have found the granary nearly completed ; but the carpenters had been standing still for the want of stuff. Notwithstanding my agreement with Monclay he never cut one inch to this minute. That shuffling fellow, Kirk, is sometimes sick, sometimes well ; Lyons the same, Paxman the same ; so that the granary is but just covered in, and not more than a quarter floored. As to my barrack, I know not when I shall begin it. I have got Wright and Paxman to cut a few days to make a beginning. I shall pay as much as possible of the expense of my barracks, and will be glad to take Steers to work for it. Finding that bricks were much wanted for many uses, I agreed with Thomas Phillips and Robert Beams to make me 30,000, for which I am to pay them six ewes, which will bring the bricks very low. With these I must build chimneys to the barracks, to my house, &c. I have inclosed the store with palings, for which I pay in shirts, frocks, &c., from the\* . . . at a good price.

\* Word illegible.

I have been obliged to build a new timber carriage compleat, 1809  
 for which I paid the tradesmen for their own time for seven days 18 Feb.  
 (in which time it was complete and at work), in things from the A timber  
 store. Such a carriage has not been seen at Dalrymple. I have carriage.  
 eight bullocks at work. I cut up leg-irons to make chains. I have  
 also put a good safe behind Government House, which improves  
 it much, and I have wrought many hard hours at it.

We have had very dry weather since you left. The whole A drought.  
 country has been burn'd up, so that, ride which way I will, I see  
 nothing but burnt grounds and black bushes.

I have been under the necessity of dividing stock with the settlers, Government  
 &c, and have given them a man; they got all the females, Govern- stock.  
 ment all the males. I find a great inconveniency in keeping their  
 cows, few as they are.

I am sorry to inform you Government has lost five head of Losses of  
 cattle: 1st, a heifer about sixteen months old in calving; 2nd, a cattle.  
 young bullock stuck in the chest, and it was dead before it was  
 discovered; 3rd, a blind old Bengal cow; 4th, a calf born blind  
 and never stood; 5th, a calf born dead; one ewe, 2 lambs.

I am making a stockyard for the breeding ewes on Mr. Hill's Sheep.  
 side. It would be a very good thing for Government if I could  
 make a paddock from the corner of Government garden gate to  
 the corner of the Government wheat ground, and from thence to  
 the bite of the river below the islands. The cows, the horses, and  
 your sheep feeds on that marsh for these six weeks, and makes  
 but little shew as to the grass, but they all look well.

As soon as the bricks are ready I will put a fireplace to the The barrack.  
 barrack, and board it up to make it comfortable for the men,  
 which I am very happy to say behaves very well. Ever since I  
 confined Hughes and got up Whittle to do the duty of sergeant-  
 major, not the smallest complaint or murmur.

On my coming up, when you left, I found Guest ready to depart Escapes.  
 to the Derwent. Capt. Fenhill and Lamb went. I sent by Fenhill  
 a proclamation suspending the force of your proclamation of out-  
 lawry for the space of twenty-eight days, that those who intended  
 to return to their duty might have an opportunity. The party  
 saw but two, and they gave themselves up to Capt. Fenhill. Jones  
 Martin came in and behaves very well; Roper was kept at the  
 Derwent by Colonel Collins, and made superintendent of stock at A superin-  
 £60, which I think was not right as he belongs to this settlement. tendent.  
 Several others would have come in but they were out a hunting.  
 The party went over with a laden cart in eight days. If I would  
 allow it, parties would be crossing every week, but I forbid it  
 strictly. The young man who killed Jinglu went with the last  
 party without my knowledge and did not return. When I was  
 informed of it and made some inquiry, Mr. Piper informed me he  
 had sent him as his servant. I hope the first conveyance will Labourers  
wanted.

1809

18 Feb.

A plough  
wanted.

bring us some carpenters, brickmakers, smiths, labourers, and some women, with iron, steel, nails, iron pots, &c. I am much hurt to find I cannot get the lower part of the stubble ground plowed for wheat, it\* . . . such fine wheat; but though I have taken care to have plenty of working bullocks, I have neither plow nor iron work, or I would soon have a plough at work for Government. I shall try to get everything as forward as possible, hoping that the latter end of March will bring a ship with a plough or iron work, and I hope to receive some of that valuable investment with wine and spirits, for we are all out to a man.

A fire.

Inclosed† I send the bearings of my farm, and hope you will be pleased to put your hand to it, that I may begin to improve it. . . . I am sorry to say Capt. Kemp's barn, with all the grain, is burnt. Jerry Smith had a narrow escape. He contended with flames until his garments took fire; he had been thrashing some time. The woman who lived with McLaughlin has been mad ever since you left, and has been in a strait-jacket ever since. Bates and Packsman went out of the\* . . . this morning. I hope you will send a few more soldiers by first conveyance. Should the dearth continue a few weeks, it would be necessary to cut a drain from the front of Fitzgerald's house to the swamps, in order that the cattle might have good water. Mr. Mountgarrett is obliged to feed all his stock in his swamp, for the fires have burnt all round for miles.

Water for  
cattle.Sawyers  
wanted.

I have repaired the house over the water for Mr. Hill, and he lives in it; but he wanted it shingled and glazed, floored, &c.; but I must have your orders for that part. I did not name the want of a pair of sawers, and saw files of all sorts. The tradesmen complain of the want of an oil stone; these in the settlement are too hard for tools of that kind. I have named Bailey and Fenton in Mrs. Paterson's letter. I need not name it in this, as you will see and judge from that.

Miscellaneous.

Fanny, the native girl, left Mr. Dey in January, and has not been seen since. I have sent you the wheat that grew by the walk of the upper end of the garden. It had 91 stalks, and has about 8,306 grains. Mr. Piper and Mr. Mountgarrett wishes to be allowed to purchase two more working bullocks.

I have, &amp;c.,

J. BRABYN.

LIEUTENANT-COLONEL FOVEAUX TO VISCOUNT CASTLEREAGH.

Sydney, New South Wales,

20th February, 1809.

20 Feb.

Bligh's  
departure.

My Lord,  
The departure of His Majesty's ship Porpoise for England‡ with Commodore Bligh, affords me an opportunity of communicating to your Lordship a detail of the public events which have

\* Word illegible.

† The enclosure is not available.

‡ As is well known, Bligh did not get beyond Hobart.

occurred in the colony from the date of my dispatches by the Albion, 9th November, 1808\* to the 8th of January last, the period of my resigning the command into the hands of Lieutenant-Governor Paterson. 1809 20 Feb.

I lament exceedingly that the hopes held out in my former letters of an abundant harvest have not been realized. The harvest.

An unusual continuance of heavy rains during the months of November and December last had so injured the crops by causing a smut, that the produce has fallen far short of the very promising appearance they wore, and the quantity of grain which has been saved will by no means prove sufficient for the consumption of the colony.

An immediate importation of that article (for which I understand Lieut.-Governor Paterson has adopted measures)† is therefore absolutely necessary to supply the deficiency, and prevent the distresses to be apprehended from a failure which it was not possible for human prudence to have guarded against. Importation of grain.

On the 16th of November I commenced a general muster of the settlement, which was completed on the 24th, and the enclosed return‡ will inform your Lordship of the quantity of ground in cultivation, and of the stock of various descriptions in possession of the landholders and settlers. A general muster.

The result of the General Court-Martial held on Mr. Williamson having rendered it impossible for me again to confide to him the situation of Acting Commissary, it became necessary to call on Mr. Fitz, as Deputy Commissary next in seniority, to undertake the very important charge of His Majesty's stores, which duty he has accordingly executed since the 19th of November last; and the superintendence of the Government herds, which had been committed to him, as stated in my letter of the 4th of September,§ has again been entrusted to Mr. Jamieson, whose undisputed character for honesty has induced me to restore him to an employment which I could find no other person better qualified to fill. The Acting Commissary.

Captain Kemp, of the New South Wales Corps, having found it desirable to resign the situation of Acting Deputy Judge-Advocate, I have ordered Mr. Atkins|| to resume the duties of that office until your Lordship's instructions shall be received. The Judge-Advocate.

I had no choice left but to restore Mr. Atkins, or expose the public to the serious inconveniences which must inevitably have followed from leaving so indispensable a department vacated.

I had previously offer'd it to such persons as I thought capable of properly discharging its various and important functions; but Atkins a last resort.

\* See vol. vi, p. 806. See also Foveaux to Chapman, ib., p. 804.

† Paterson commissioned the master of the Admiral Gambier to procure 150 tons of rice. See Paterson to Castlereagh, 23rd March, 1809, post, p. 85.

‡ The return referred to will be found on p. 800 of vol. vi.

§ In his letter of 4th September, vol. vi, p. 731, Foveaux was not quite so complimentary to Jamieson.

|| Atkins was reappointed on 13th December, 1808, vol. vi, p. 812.

1809 the great trouble and responsibility attached to it, the inadequate recompense, and the uncertainty of its duration, induced them to decline it, and necessity alone obliged me to have recourse to Mr. Atkins.

20 Feb.

\* \* \* \* \*

**Fresh meat.** Previous to my arrival, fresh meat was taken into the stores at one shilling per pound; but since the 7th of October the price has been reduced to ninepence, and that the quantity furnished (without the heads or feet) has been considerable.\*

**Foveaux sends for Paterson.**

My letter of the 9th of November† will have apprized your Lordship of the sailing of His Majesty's ship Porpoise on the 31st of October for Port Dalrymple, to convey Lieutenant-Governor Paterson (agreeable to his requisition) from thence to headquarters.‡

That vessel, after a lapse of more than seven weeks, not having returned, I thought it expedient, on the 23rd of December, to despatch the Colonial schooner Estramina to Port Dalrymple, and my letter by her to the Lieutenant-Governor will explain to your Lordship my motives for having done so.

The Porpoise, however, anchored within the entrance of this harbour late in the evening of the 31st of December, and early next morning the Estramina returned, after an absence of only eight days, having learned in Bass's Straits that the Porpoise had five days before sailed from Port Dalrymple.

**Paterson's arrival.**

Lieutenant-Governor Paterson landed on the first of January, and on the 9th assumed the government of the colony.

**Purchasing grain.**

In order to enable the settlers to pay in grain for such articles as they might want from the investments sent out in the Sinclair,§ I delayed opening it until the produce of the harvest should be got in; but, by the arrival of the Lieutenant-Governor, the disposal of it has fallen upon him, except of that part which I judged proportionate to the number of inhabitants of the Derwent, which I sent thither by the Venus, schooner, on the 11th of December last.

**Norfolk Island.**

By that opportunity I conveyed to Lieutenant-Governor Collins my sentiments on some points of the Secretary of State's instructions for the evacuation of Norfolk Island, on which he required my opinion; and I beg leave to transmit your Lordship a copy of my letter on that subject.||

On Lieutenant-Governor Paterson's landing, I represented to him the necessity of taking immediate steps for the removal of the military detachment and remaining settlers from Norfolk

\* John Macarthur was one of the principal providers.

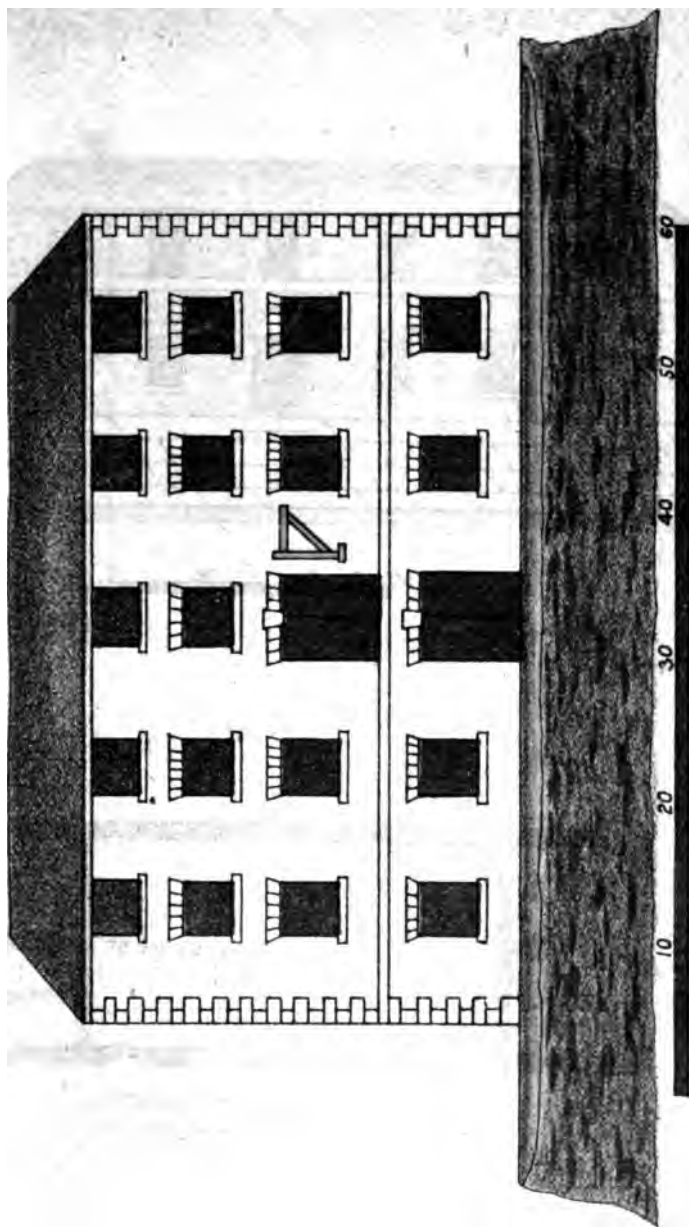
† Vol. vi, p. 808.

‡ Colonel Johnston was extremely ill-advised in not sending for Paterson immediately he arrested Bligh.

§ The Sinclair arrived on 29th July, 1808.

|| See the extracts from Foveaux's letter of 10th December, 1808, vol. vi, p. 812.

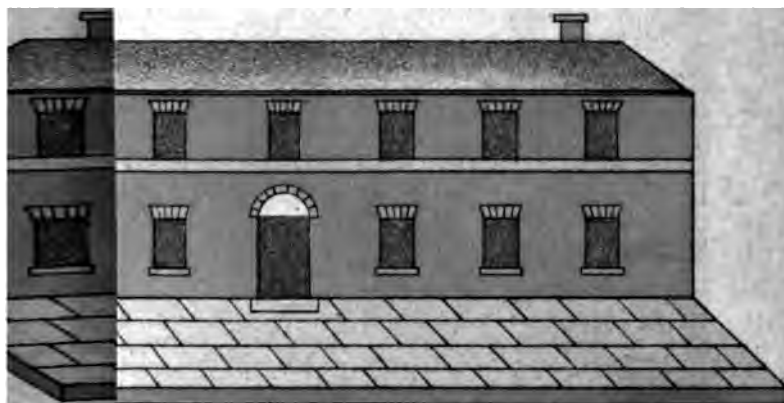
# PLAN OF THE NEW STONE GRANERY AT PARRAMATTA



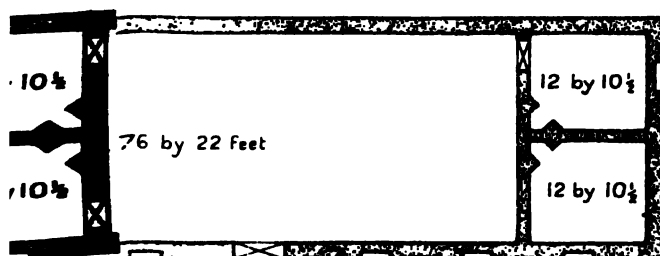
Scale of Feet

Photo-illustrated by  
W. A. Gifford, Commercial Printer.

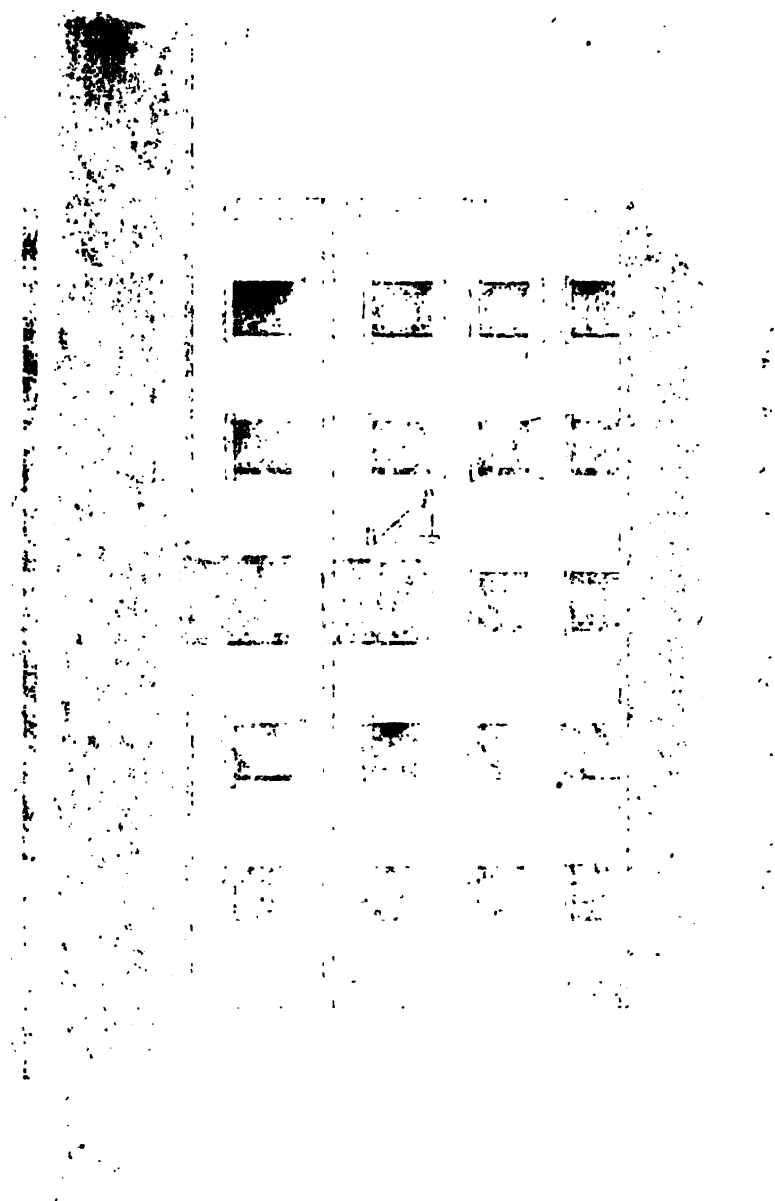


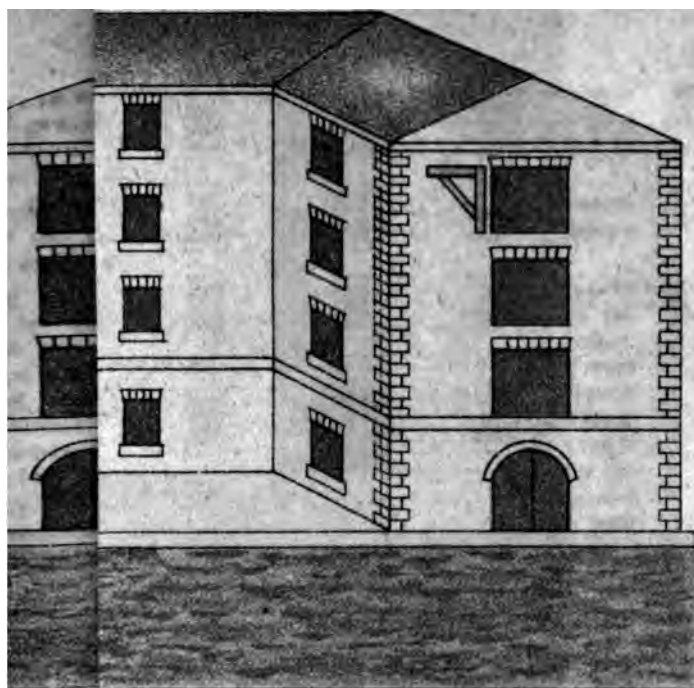


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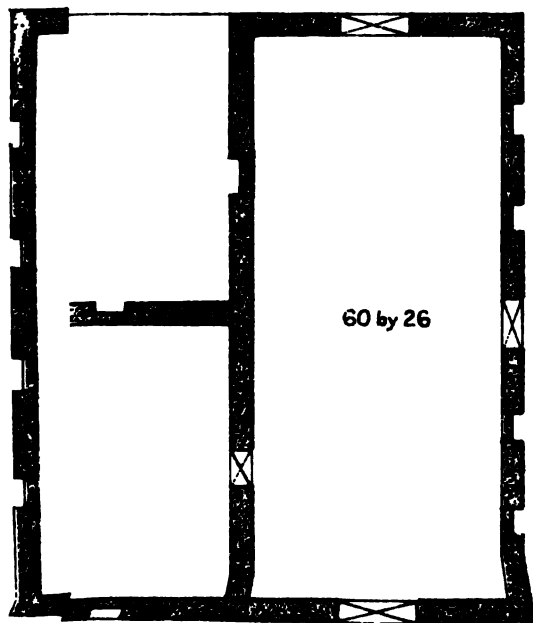


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10 FEB 1809. 28.

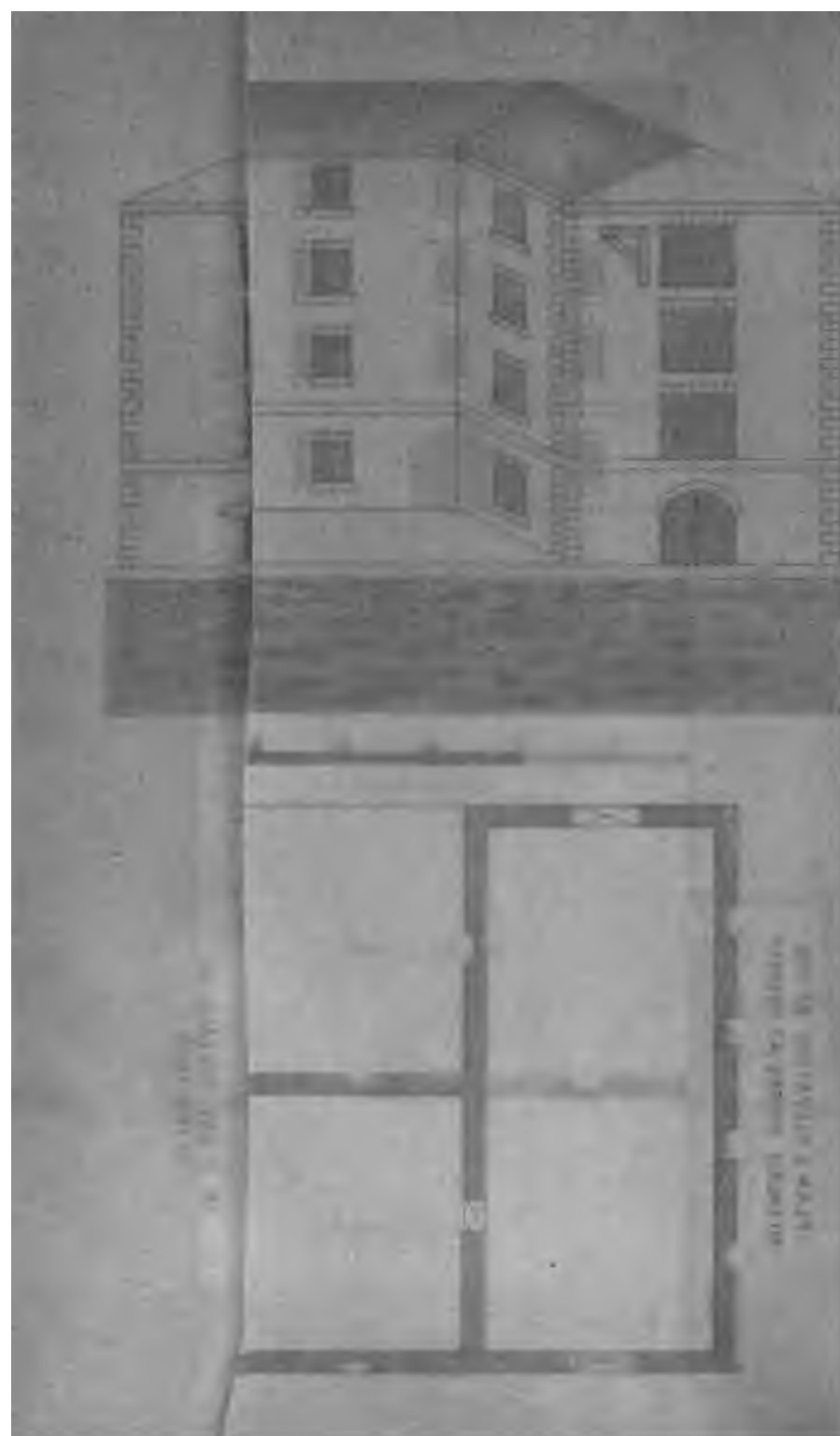




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IN L' GOV. FOVEAUX OF  
20 FEB. 1809



Island, or, in case that could not be effected, for sending them a supply of grain—which measures I was prevented from carrying into execution from having no vessel at my disposal adapted to such a service. 1809  
20 Feb.

I thought it my duty afterwards to write to the Lieutenant-Governor on that subject, and I subjoin for your Lordship's perusal a copy of my letter.\*

During the period of my command, amongst other works <sup>Public works.</sup> executed by the servants of the Crown, the walls and roof of the new stone granary at Parramatta, and brick barrack at Sydney (the plans and elevation of which accompany this letter) were completed, and the crops of wheat and barley on the Government ground (about one hundred acres) were got in; and I had made arrangements for commencing the erection of an extensive range of stone storehouses contiguous to the wharf of Sydney† on the annexed plan, the adoption of which I have strongly recommended to my successor, for the reasons assigned in my letter to your Lordship of the 4th of September last.‡

\* \* \* \* \*

I also beg leave to lay before your Lordship a list of the grants <sup>Land grants.</sup> given by me, amongst which are those of some allotments in the town of Sydney (before held by lease) to Simeon Lord, Isaac Nichols, Andrew Thompson, John Driver, and Daniel Bevan, on which they have laid out very large sums of money in the erection of excellent dwelling houses, extensive stores, and other substantial and useful buildings.§

The justice of securing the permanent enjoyment of the fruits <sup>Converting leases.</sup> of their industry to persons who have speculated with such confidence and spirit upon the precarious tenure of a lease, and the policy of encouraging others to similar exertions, and thereby materially contributing to the extension and ornament of the town, are so obvious that I feel no necessity of enlarging on the motives which led me to the step I have taken in their favor.

I have made the grants in the town of Sydney, subject to a quit- <sup>Quit rents.</sup> rent of two shillings and sixpence per rod; and I take the liberty of suggesting to your Lordship whether a considerable revenue may not be raised for the service of the Crown by imposing a like rent upon all future grants of the same kind, which, instead of operating as a check upon the industry of the colonists, would, I am fully satisfied, have a direct contrary effect.

\* Ante, p. 7.

† These are the buildings still standing near that part of the Circular Quay now known as Queen's Wharf. The buildings, for many years, have been used as Commissariat stores.

‡ Vol. vi, p. 735.

§ For the localities of these, leases, see the street map of Sydney enclosed in Governor Bligh's letter of 31st October, 1807, and reproduced at page 366 of vol. vi.

1809

20 Feb.

Evacuation  
of Norfolk  
Island.

Your Lordship has been informed of the agreement made by my predecessor in command with the supercargo of the City of Edinburgh, for the removal in that vessel of the settlers from Norfolk Island to the Derwent.\*

By the charter-party your Lordship will observe that this vessel was hired at twenty-three shillings per ton per month (to be paid in timber), but that no time was limited for the performance of the voyage. It was, however, clearly understood by the contracting parties that it was not to exceed ten weeks.

A long  
voyage.

The City of Edinburgh sail'd from hence on the 26th of May last, and after three months absence, all hopes of her return having been given up, it was deemed unnecessary to persevere in preparing the timber, in which almost all the sawyers, and a great number of the most useful labourers in the settlement, had been employed, to the great inconvenience of His Majesty's service, and the hindrance of many other more essential works.

A question  
of freight.

On the 9th of November, however, the City of Edinburgh arrived at Port Jackson, having consumed upwards of twenty-seven weeks in the accomplishment of a voyage she was virtually bound to have performed in ten; and the supercargo demanded the sum of three thousand six hundred pounds for the freight, offering to take the timber which had been prepared (estimated at two thousand eight hundred and thirty pounds) in part payment, and requiring the remainder in money, or goods from the public stores.

An  
exorbitant  
demand.

Having reason to be convinced that the delays she met were owing to her not having been in a proper state of equipment for such a voyage, I thought it my duty to resist so exorbitant and unjustifiable a demand, and offer'd to pay, either in money or timber, the two thousand pounds stipulated by the charter-party, which sum was fixed upon as the highest then under any possible contingency the freight could be calculated to amount to.

Mr. Berry,† the supercargo, having declined to receive the sum as a full compensation for the hire of the ship, I have referr'd him to your Lordship for a final adjustment of his claims, and have promised to lay before you the correspondence which has taken place between him and me upon that subject.

Sandal-  
wood.

During the government of Captain Bligh a duty of two pounds ten shillings per ton was laid upon the reshipment at this port of sandal-wood landed from the Colonial vessels, and brought from the Fejee Islands, which lie within the limits of the colony.

As vessels of this description are prohibited from proceeding to China (the only market for sandal-wood) they are obliged to return

\* The agreement was made with the master of the City of Edinburgh by Major Johnston (vol. vi, p. 592).

† Afterwards the Hon. Alexander Berry, M.L.C.

and deposit their cargoes here until opportunity can be found of reshipping them in bottoms privileged to navigate beyond the extent of this territory. 1800  
20 Feb.

Neutral ships, and those licensed by the East India Company, which arrive here laden with the same article, not being under the like necessity of landing it, are consequently not liable to the duty, which, therefore, falls on the Colonial vessels alone, and these are subject to the additional disadvantage of being fitted out and kept in repair at a most enormous expense, from the circumstance of there being in this country no regular dépôt of naval stores for mercantile purposes from whence they may be furnished with the necessary supplies.

These considerations have induced me, in compliance with the request of the persons concerned in the Colonial vessels, to suspend (until your Lordship's instructions shall be received) the levying of a tax so partial in its pressure, and to direct that on reshipping the sandal-wood, security being given by the proprietors for the payment, when required, of the two pounds ten shillings per ton should the continuance of the duty meet your Lordship's approval.\* The duty on sandal-wood suspended.

The Speke arrived here on the 27th of November with ninety-seven females, and the Admiral Gambier on the 20th of December with one hundred and ninety-seven male convicts. The healthy and cleanly state in which the prisoners from both ships were landed is a strong proof of the care and humanity with which they were treated during the voyage. Convict arrivals.

As my presence at head-quarters can, without inconvenience to His Majesty's service, be dispensed with, and as Lieut't-Governor Paterson does not conceive it essential that an officer of my rank should replace him in the command at Port Dalrymple, he has permitted me to return to Europe for the purpose of learning your Lordship's future views with respect to Norfolk Island, and of representing the melancholy situation of the settlers sent from thence to the Derwent, and in hopes of my being able to devise some arrangement which may meet your Lordship's concurrence for the relief of those unfortunate people. Foveaux proposes to return to Europe.

I have engaged a passage in the *Eolus*, which is expected to sail in three weeks; and as there may be probably many points on which your Lordship may require more particular details and clearer explanations than I have been able to convey in my several letters, I trust my return to England will not be found altogether useless to the interests of His Majesty's Government in this colony and its dependencies. His passage taken.

I have, &c.,

J. FOVEAUX.

\* See the Government and General Order of 24th September, 1808, and Robert Campbell's letter of 26th *idem*, vol. vi, p. 761; and Caley's and Bligh's comments, *ib.*, pp. 798 and 800.

1809

[Enclosure.]

20 Feb.  
Spirits.

RETURN of Spirits landed and distributed in New South Wales, by permission of His Honor Lieut.-Governor Foveaux, between 7th of September, 1808, and the 8th of January, 1809.

Date.	From what Vessel.	Gallons.	To whom Distributed.
1808. 13 October ...	Star (snow) .....	593	Officers, civil and military, and individuals.

THOMAS JAMISON, Naval Officer.

## ADDRESS TO GOVERNOR BLIGH.

Sydney, 21st February, 1809.

21 Feb. To His Excellency William Bligh, Esquire, Captain-General and Governor-in-Chief of His Majesty's territory of New South Wales and its dependencies, &c., &c., &c.

May it please your Excellency,—

Expressions of sympathy with Bligh. We, the undersigned, beg leave to express to your Excellency our utter abhorrence and detestation of the measures which deprived your Excellency of the Government of the colony on the 26th of January, 1808, and of the unparalleled indignities that have subsequently been shown to your Excellency's person by a set of daring and sanguinary conspirators, whose situation being desperate, have at last compelled your Excellency to embark for England, to our unfeigned sorrow and regret, as well as for the loss of those blessings we derived from the protection, security, and tranquility enjoyed through the medium of your Excellency's Government and administration of justice, which was benevolent, wise, and honourable, and beheld by every good member of society with satisfaction and applause, being no longer liable to the enormous monopolies and degrading practices which formerly prevailed.

His benefit-  
cent rule.

His impending  
voyage to England.

That your Excellency may have a prosperous and pleasant voyage to England; that you may there meet the approbation, and receive the reward from our most gracious Sovereign which your eminent services in this colony have so conspicuously merited; and that you may long enjoy every felicity, is our most ardent prayer, cherishing the sanguine hope of being gratified with your Excellency's speedy return, to restore, by your persevering energy and talent, those invaluable blessings we have been so cruelly bereaved of.\*

We have, &c.,

ROB. CAMPBELL.

C. HOOK.

HENRY FULTON, Chaplain.

W'M GORE, Provost-Marshal.

ROBERT CAMPBELL, Jun'r.

JAMES GORDON.

JNO. PALMER, Commissary.

CHRIS'R PALMER.

\* It is evident from this address that even Bligh's most confidential adherents shared with Paterson the belief that he intended to proceed direct to Europe. If it were his original design he speedily abandoned it. See also address, dated 17th February, 1809, signed by (amongst others) Arndell and Rouse, ante, p. 33.

GOVERNOR BLIGH TO COLONEL PATERSON.

1809

His Majesty's Ship Porpoise,

22 Feb.

Sir, Sydney Cove, 22nd February, 1809.

I have been surprized to find you have objected to Mr. Commissary Palmer proceeding with me to England. I have therefore to demand that no obstruction may be thrown in his way, as his presence is absolutely necessary there.\*

Palmer not  
to accom-  
pany Bligh

I am, &amp;c.,

W<sup>M</sup> BLIGH.

COLONEL PATERSON TO GOVERNOR BLIGH.

Sir, Head-quarters, Sydney, 22nd February, 1809.

I must confess that I had entertained a hope that your sense of the serious obligation you entered into on the 4th instant† would have deterred you from the slightest attempt to infringe it.

On referring to this obligation and your letter of the 2nd instant,‡ in which you say, in answer to mine of the preceding day, that you do not demand any person to go Home with you except your daughter, secretary, and your domestics, I cannot, therefore, but express my utmost surprize at your letter of this morning, in which you state that you have been surprized to find I have objected to Mr. Commissary Palmer proceeding with you to England, and that you have, therefore, to demand that no obstruction may be thrown in his way, as his presence is absolutely necessary there.

Bligh's  
promise.

Palmer's  
passage to  
England.

I must, in consequence, inform you that I have deemed it necessary to withhold my sanction to Mr. Palmer leaving the territory until the claims of those individuals to whom sums were due from the Crown previous to his suspension are adjusted, which measure I shall report to His Majesty's Ministers.

Claims  
against  
Palmer.

Anxious, however, to remove every impediment to the liquidation of the sums mentioned, I have this morning seen Lieutenant-Colonel Johnston, who states his readiness to draw bills on the Lords Commissioners of His Majesty's Treasury for the amount, provided Mr. Palmer furnishes him immediately with such satisfactory vouchers as are necessary to accompany the same.

Vouchers  
required.

I am, &amp;c.,

W<sup>M</sup> PATERSON.

\* The refusal of Paterson to allow Palmer to accompany Bligh was a direct breach of his agreement, dated 4th February, 1809, ante, p. 17.

† Ante, p. 17.

‡ See Bligh's second letter to Paterson of 1st February, ante, p. 14. (Paterson misquotes the date.) As Bligh's letter was written three days before the agreement (ante, p. 17) was drawn up, and when he was under the impression that he was to be sent Home in the Admiral Gambier under arrest, Paterson's excuse for his breach of the last clause of that agreement is particularly lame.

1809

## SETTLERS TO VISCOUNT CASTLEREAGH.\*

22 Feb.

Baulkham  
Hills  
settlers.

May it please your Lordship, 22nd February, 1809.

We, His Majesty's most dutiful and loyal subjects, who voluntarily left the United Kingdom to settle with our families in this remote part of His Majesties' dominions, beg with all humility to state to your Lordship, in as concise a manner as possible, a transaction that took place in this colony on the 26th January, 1808, which we have ever disavowed, and held in the greatest abhorrence, notwithstanding the principal perpetrators boast of stiling it a revolution, as in fact it may be term'd nothing less.

Circum-  
stances of  
Bligh's  
arrest.

Major George Johnston (now Lieut.-Colonel) with Capt'n Kemp and other subalterns, with many soldiers, march'd up to and forcibly entered Gov't House, seizing the person of His Excellency Gov'r Bligh, annulling his authority with which he was invested by His Majesty, and dissolved the whole of the civil and ecclesiastical establishments, violently breaking open his desks, &c., and carrying with them his commission and all his other public and private papers; and on their return from hence Lieut.-Colonel Johnston, at the Gov'r's gate, inform'd the public that he had thought proper to put His Excellency the Gov'r-in-Chief under arrest, and take upon himself the command of the colony, and concluded by proclaiming martial law, while at that time we solemnly assure your Lordship the whole country was in the utmost tranquility. However, these unprecedented measures of the military created a consternation undescribable, no one knowing the cause that had led them to such extraordinary proceedings, or what might be their issue, and to this date, we are sorry to say, is still very uncertain.

Martial law  
proclaimed.Spirits  
bartered by  
officers.

It will be necessary to acquaint your Lordship in what state the country was in when His Excellency Governor Bligh took the command of the colony, in order to develope this mysterious usurpation of the military over the established civil power, and thereby totally laying aside His Majesty's authority over this territory. During the time Gov'r King had the command the officers were indulged with great quantities of spiritous liquors, which they disposed of to individuals at enormous prices, with various other articles which they sold wholesale and retail, as also kept hawkers and pedlars travelling through the different settlements to dispose of their property, which was almost totally monopolized by those gentlemen. We know not whether they have His Royal Hignness the Duke of York, the Commander-in-Chief's, permission for such purpose, nor neither do we pretend to know His Majesty's instructions to any of his Governors respecting them; but most certain it is, immediately after Gov'r King left the colony, His Excellency

\* At the time when this address was prepared, news had arrived from England that succours were at hand. The signatories were settlers at Baulkham Hills.

Gov'r Bligh began to establish a very different system by endeavouring tottally to suppress monopoly by the officers, or any other persons, and turn'd his attention to the encouragement of agriculture in this infant colony, which was in a very low state in his predecessor's time, as instead of encouraging he had almost tottally depress'd it, in many instances too tedious to trouble your Lordship with. Moreover, the people were become extremely idle, and under no regular subordination to their employers.

1809

22 Feb.

Bligh as a reformer.

Thus, my Lord, under all those disadvantages, we vouch was the true state of the colony when His Excellency Gov'r Bligh assum'd the command, and we assure your Lordship, in our humble opinions, he deserves much praise, from his indefatigable perseverance and the laudable steps he took to reform the great abuses that had been suffered by his predecessor. Further, to elucidate this extraordinary event, Gov'r King had, with all other indulgencies to the principal officers and others, granted them large tracks of land, which your Lordship will see in the chart of the colony, presuming there is one in your Lordship's possession, which will fully prove our assertion.

Abuses under Governor King.

And that your Lordship may be more fully acquainted with some of their indulgencies, Mr. McArthur, who was formerly a captain in the New South Wales Corps, had been in England, and on his return brought with him a great quantity of spirits, and was suffered, in Gov'r King's time, to sell it wholesale at three pounds sterling p'r gallon, while a mercantile house establish'd here from India was ordered and compell'd to take spirits from hence that they had ship'd from this port, and which they offered to the public at large at the rate of six shillings p'r gallon, with six months credit, and take in payment the produce of their land, by the which proceedings your Lordship will be able to judge of the chicanery that has formerly been played upon the public in this obscure part of His Majesty's dominions.

Favouritism shown to Macarthur.

Mr. McArthur, we verily believe, had a principal hand in bringing about this revolution, as he not only seduced the officers but soldiers also (who taken collectively together, officers and men, are living in the most licentious manner imaginable). He was liberated from the county goal by the military a few hours previous to their deposing the Governor, where he was confined for trial for divers misdemeanours, and it is evident from all the circumstances attending the business, that he had predetermined to set at defiance all laws and lawful authority. He was one of the principals that march'd up to Government House to depose the Gov'r, and of committing other outrages on his person and property, and took upon himself the management of public affairs, affecting the same pomp as the Governor, riding with light horsemen after him, keeping a soldier to attend him at his house in the character of an orderly, &c., and publicly styling himself the Colonial Secretary,

Macarthur's influence over the officers and soldiers.

The management of public affairs.

1809	from which we suppose he intended to vie with your Lordship
22 Feb.	in your official character as one of His Majesty's Principal Secretaries of State. On the arrival of His Excellency Governor Bligh
Addresses on Bligh's arrival.	in this colony he, amongst his other effronteries, had the presumptive assurance to present him with a congratulatory address in the name of all the free inhabitants,* and a very flattering one to Gov'r King, approving of his gov't, in their names also, without having ask'd or obtained one of their consents, which flattering address of Gov'r King's was, by public addresses from every district, flatly and possitively contradicted, which reflected but little to Gov'r King or Mr. McArthur's honor either as presenter or receiver.
Conduct of the officers.	And indeed the shameful proceedings of the officers ever since the deposing of His Excellency the Gov'r-in-Chief but too fully evince the causes that led to their mutiny and rebellion against His Majesty's established lawful authority, as they have ever since engross'd the whole of the spiritous liquors, &c., selling them at unheard-off enormous prices, and making use of every mean artifice to impose upon and impoverish the public. Even His Majesty's stores they are rifling wholesale (which is intended for the use of the inhabitants in general), that they may make still further extor-tions upon the already almost ruined inhabitants. They in their rapacity are also seizing and bestowing upon their creatures great numbers of the public stock, some of whom two years ago was not master of a shilling, are now in possession of from twenty to forty and fifty head of cattle, besides extensive grants of land, which they also presume to dispose of.
Appropriation of stores and stock.	Thus your Lordship will see from the above what was the idol they sought after that induced them to act in open defiance of the laws. We hinted before that Gov'r Bligh made it his study to encourage and assist the industrious. He, therefore, in the distribution of spirits, &c., let every free inhabitant have a share according to the number of their familys or their deserts. To the cultivators he sent it to the nearest settlement to them, allowing them to pay it in grain into His Majesty's stores, which greatly gall'd those voracious vultures, seeing their usual means of monopoly and nefarious traffick likely to be ruined by the prudent, wise, and salutary measures that His Excellency had adopted and was determined to support. He also settled a plan, in conjunction with the Commissary, to supply the inhabitants of the distant parts of the settlement with the necessaries from His Majesty's stores at the nearest places to their abodes, which saves many of them a hundred miles traveling (and who had often, very often, in his predecessor's time been obliged without reason to return without them), which was a greater relief to the inhabitants than can possibly be conceived, unless your Lordship were actually on the spot.
Distribution of spirits by Bligh.	
Stores for the out-settlement.	

\* See these addresses—vol. vi, pp. 165 and 166 ; and addresses of settlers on pp. 188 and 190, ib.

But, indeed, the whole of Gov'r Bligh's plans was ultimately calculated for the relief and promoting the prosperity and happiness of the people, the honor of His Majesty's service, and to add lustre and dignity to the United Kingdom. To sum up the whole, my Lord, Gov'r Bligh has endeared himself to the inhabitants by his tender regard for their welfare, his affable manner of receiving them and visiting them at their habitations, and humanely making minute enquiry into all their wants, noting them down and supplying them as far as possible.

1800

22 Feb.

Prosperity  
under  
Bligh.

Therefore, my Lord, it was natural for us to be greatly agitated and enraged at those who had so degraded His Excellency in his high rank and station, as His Majesty's representative, and who threatened all with imprisonment and deprivation of all support and indulgence who did not acquiesce with them in their shameful mutiny and rebellion, which some of us have actually undergone, for daring to be loyal subjects to our most gracious and dread Sovereign, and supporting and vindicating his greatly and unjustly injured representative, who has been most cruelly and basely treated by those daring usurpers. But it would be intruding on your Lordship for us to give a full detail of all their base transactions, as we trust it will come from more able pens. At the same time, we thought it our duty not to be wholly silent on such a momentous subject.

Alarm of  
settlers.

Lieut.-Colonel Johnston, Mr. McArthur as Colonial Secretary, and their partisans, assumed and exercised every part of legislative authority—nay, they even dared to approach and profane the sacred altar of the church, by performing and officiating in all the sacred functions of the rituals of matrimony, which alone belong to the sacerdotal office. They held Courts of Civil and Criminal Jurisprudence, condemning and executing males and females, whilst, in the judgement of the public, they themselves are more criminal than those they condemned. They rul'd with a rod of iron for six months. Then followed Lieut.-Colonel Foveaux, who, by a proclamation he published, declared that it was beyond his authority to be a judge of the business, and that it must be left to His Majesty's Ministers, who alone were competent judges and able to decide,—which made us hope he would be a milder master than the Johnston and McArthur faction. But we was wofully mistaken, for he soon approved of all the inglorious actions the others had basely committed, and thrust us into gaol for daring to dissent from him in opinion, and took from us our labourers (who was indented to us) in the midst of harvest, leaving our crops to the mercy of the elements, to be destroyed by stock, or other depredations, our persons being shut up in cells in the county gaol at Sydney. He continued five months, when we was blessed with another Colonel and Governor of the New South Wales Corps (viz., William Paterson, Esq'r.), who has abated nothing of

The  
churches  
and law  
courts.Foveaux's  
administra-  
tion.

- 1800 the rigour of his predecessors—nay, even he has treated His Excellency with greater indignity, dragging him from his house, where he had been suffered to remain, under many guards, and cram'd into a surgeon's barrack belonging to the military, and now is upon the eve of being forc'd out of the colony; indeed, we almost despair of his life from the brutal treatment he has received at their hands. We assure your Lordship it is with the greatest reluctance we part with him, as we shall never be relieved from our anxious concern untill we hear of his safe arrival on the British shore, where we humbly hope His Majesty will be pleased to bestow upon him some distinguishing mark of his Royal munificence for the manifold and unjust sufferings he has experienced in this unhallowed and ungrateful colony. And we, with all humility, beseech your Lordship that you would vouchsafe to move His Majesty, in his great goodness, graciously to be pleased to restore him again as his representative in this territory, where a willing people will be ready to receive him with acclamations of great joy.
- 22 Feb. Paterson's treatment of Bligh. Bligh's projected departure.
- Persecuted loyalists.
- We have much, my Lord, to dread in his absence by those our military rulers, as they persecute with unremitting hand all who have stood loyal to His Majesty and endeavoured to support his and the nation's honor in this territory. Some of us are still in gaol; and the aforementioned mercantile house, who have been peculiarly loyal, they have annoyed in their shiping and otherwise in the most base, mean, and malicious manner that only sordid low minds could possibly be capable of.
- The other side.
- The requisition to Johnston.
- Post factum signatures.
- We doubt not but that your Lordship is in possession of papers of a different tendency from what we have related by the faction, who sedulously brooded over and hatch'd them in the following manner:—Just at the moment of going to Gov't House to depose His Excellency the Governor, they contrived to have a small number of their creatures (generally believed to be six)\* assembled in a room, where they were (as is believed by Mr. McArthur) presented with a paper purporting the deposing of the Gov'r, which, when they found there was no retracting, they signed. Lieu't-Colonel Johnston then exclaim'd: "I am ready." On which they all ushered forth with him at the head of the troops, which were previously drawn out on the parade with their band of music &c., and march'd up to Gov't house as before stated. The next day it was noised abroad by them, that the inhabitants had requested them to depose the Gov'r to blind the public, and thus to justify their outrageous proceedings, and the above paper had many signatures affixed to it afterwards, purporting they were all previous to their committing this their atrocious act. They then, with some of their partisans and tools, sent other papers

\* This statement bears out the opinion hazarded in the introduction to vol. vi, pp. lxii and lxiii. The available evidence points to Macarthur, Blaxcell, Jamison, Milham, Badgery, and Lord, as the six who signed the requisition prior to the actual arrest.

throughout the different settlements, in which they were applauded for their inglorious actions, and threatned with imprisonment, &c., as before stated, all who did not affix their signatures to such papers; and therefore, my Lord, from dread and terrour, many were compell'd to do that which they have regretted and repented off ever since, as it was wholly compulsive and tottally against their inclinations (which can be best proved by a voluntary address they had presented to His Excellency from all parts, highly extolling and approving of his wise measures but a few days previous to the arrest),\* and we assure your Lordship there is now nothing but murmurings and great discontent in all places against our unlawful, arbitrary rulers. It may seem somewhat extraordinary to your Lordship that there should be so few signatures to support our assertions; but, my Lord, we live in a very small district, some of them are not resident on the spot, and from the present juncture of affairs we dare have no communications with the neighbouring district.

1809

22 Feb.

A reign of terror.

Therefore, my Lord, having declared nothing but the truth, we are ready to come forward to prove our assertions if ever call'd upon, and have no seperate views but the welfare of the colony at heart, having all large familys, and in all probability will end our days in this obscure corner of His Majesty's dominions. We therefore, my Lord, with all humility, subscribe ourselves His Majesty's most dutiful and loyal subjects, and your Lordships most devoted, &c.,

Bona fides of signatories.

AND'W McDougall,	MATTH'W PEARCE,
JOHN SMITH,	JAMES KENNEDY,
THOS. HARLEY,	W'M HANCEY,
JOHN HILLAS,	MICHAEL HANCEY.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 24th February, 1809.

24 Feb.

THOMAS JAMISON, Esq., Principal Surgeon of the territory, having been ordered to proceed to Europe at the request of Lieutenant-Colonel Johnston, the Senior Assistant Surgeon† will repair to Sydney and take upon him that officer's duty.

The medical staff.

The Lieutenant-Governor has been pleased, in consequence of the vacancy in the medical establishment, to appoint Mr. E. Luttrell to act as Assistant Surgeon until His Majesty's pleasure is known, and to do duty at Parramatta.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 25th February, 1809.

25 Feb.

THE Lieutenant-Governor is pleased to appoint Nicholas Bayly, Esq., to take upon him the duties of Naval Officer.

Appointments.

\* See the address to Bligh, 1st January, 1808, vol. vi, p. 410. † D'Arcy Wentworth.

1809 The Lieutenant-Governor having also appointed Alexander  
 25 Feb. Riley, Esq., treasurer of the Orphan and Gaol Funds, he requests  
 the committees to lay before him a statement of their accounts on  
 Tuesday next, that he may direct the necessary discharge to be  
 given Thomas Jamison, Esq., for the balances now in his possession.

COMMANDER FLINDERS TO SIR JOSEPH BANKS.

Wilhelms Plains, in the Isle of France,

28th February, 1809.

28 Feb.

Sir

French  
 plagiarism.

Flinders,  
 Grant, and  
 Baudin.

Rival claims  
 of French  
 and English  
 navigators.

Since I had the honour of addressing you on Sept. 15 and  
 Nov. 5th last,\* I have seen in a *Moniteur* of Aug. last a letter from  
 the first lieutenant of Le Géographe, editor of the nautical part of  
 Mons. Baudin's voyage, in which it appears that the south coast  
 of Australia, from the islands of St. Peter and St. Francis to Bass  
 Strait, is proclaimed to be a French discovery, and has received  
 the name of Terre Napoléon. This is an injustice to our nation  
 in general, and to Lieut. Grant and to me in particular, for the  
 greater part of that coast was discovered by us. In my charts,  
 transmitted to the Admiralty, the parts discovered by Mr. Grant,  
 by Mr. Baudin, and by me, are distinctly and impartially marked ;  
 and, what is more, I showed these charts to Mons. Baudin at Port  
 Jackson, and he raised no objection to the division. The two  
 gulphs discovered by me have been named at Paris, Golphe Bona-  
 parte and Golphe Joséphine ; and my Kangaroo Island, of which  
 I gave Mons. Baudin the first information, as well as of the gulphs,  
 is transformed into l'Isle Decrés ; even my discovery of the north  
 coast of Van Diemen's Land in 1798 is represented in that letter  
 to be a new discovery of the Géographe. Thus, whilst General  
 De Caen keeps me prisoner here, they search at Paris to deprive  
 me of the little honour with the scientific world which my labours  
 might have procured me.

Monsieur Freycinet, the writer of the letter, is so advantageously  
 known to me that I cannot conceive him to be the author of these  
 piracies ; neither, I think, can Mons. Péron, the editor for the  
 part of natural history ; but if they are not the authors, it must  
 be the French Government, or at least some of its members. You  
 have read, Sir Joseph, the voyage of Le Marchand, in which  
 Monsieur de Fleurien takes occasion to complain heavily of similar  
 conduct in English navigators, though no one of the examples he  
 cites are of half the force with those above mentioned, nor were  
 the innovations so formally committed. I trust that our nation  
 will find some one in its bosom to vindicate her reputation and  
 that of her navigators, though I should continue to be unjustly  
 kept prisoner. I have much scruple to believe that my imprison-  
 ment is connected with this invasion of the maritime reputation  
 of England—it would be so base, so atrocious an act ; but appear-  
 ances do certainly very much countenance such an opinion.

\* Neither of these letters is available.

My last letter would inform you, Sir Joseph, of the efforts I have made to obtain a second order from the French Government for my release, couched in such terms as should leave no possibility of evasion to General De Caen. In that letter I intreated you to make use of your influence with the Ministry, or with the French National Institute, in aid of my memorial to the Marine Minister. I trust that the desired effect will be produced, and that in two or three months from hence a sufficient order will arrive, if the affairs of Spain do not occupy all the attention of the French Government, of which I have some apprehensions.

1809

23 Feb.

Flinders's  
attempts to  
obtain his  
release.

I learn that two French gentlemen named Desbassayus, who had taken charge of letters from me, and to whom I had given a letter of recommendation in case of their being taken in their passage from hence to France, have really been conducted to England. They were well able to speak of my situation, and of the general opinion entertained in this island upon the subject of my imprisonment, and, being Frenchmen, could not be suspected of partiality in my favour. It would give me pleasure to know that you had seen them, or that they had been questioned at the Admiralty; and perhaps the first ship [from] France may bring me a letter from them, if not from my friends in England, who may have committed letters to their charge.

Letters  
entrusted to  
Frenchman.

My situation here is in every respect the same as in November last. I wait with as much patience as possible for the dénouement of this extraordinary affair, which shall enable me to assure you in person of the high consideration and respect with which I have the honour to be, Sir Joseph, your most obliged and faithful humble servant,

Flinders  
still a  
prisoner.

MATT'W FLINDERS.

This letter goes in a cartel which carries Portuguese prisoners to Brazil, from whence I hope a passage will be found for it to England.

LIEUTENANT-COLONEL JOHNSTON TO COLONEL PATERSON.

(Colonial Secretary's Papers.)

Sir,

Sydney Barracks, 1st March, 1809.

1 March.

Although it would have been very desirable that the whole of the evidence named in the late Governor's list, which I had the honor to transmit to you on the 2nd of February, should have accompanied me to England, yet, as I am sensible none of them can be obliged to leave the colony but such as held His Majesty's commission, or are otherwise under the control of Government, I shall forbear to urge for the attendance of any except John Palmer, Esq., Richard Atkins, Esq., Mr. Gore, late Provost-Marshal, and George Crossley.

Witnesses  
for trial of  
Johnston.

These four persons having been amongst the principal agents who were employed by the late Governor in the execution of the

Bligh's  
principal  
adherents.

1809  
1 March.      oppressive and tyrannical measures that were the immediate cause of his being put in arrest, it must I trust appear obvious to you that their evidence is indispensibly necessary to prove my charges against him.

I have, &c.,  
GEO. JOHNSTON.

COLONEL PATERSON TO LIEUTENANT-COLONEL JOHNSTON.

2 March.      Sir,      Head-quarters, Sydney, 2nd March, 1809.  
The Admiral      I take the earliest opportunity of informing you that the  
Gambier      master of the Admiral Gambier has notified to me that this  
ready for      vessel is ready for sea, and I need not apprise you that the return  
sea.      of the contract I have entered into with Mr. Harrison to procure  
a supply of provisions will put it out of my power to detain her.

In answer to your letter of yesterday requesting four additional evidences, I must acquaint you I do not feel authorized to insist on the departure of any more than those already directed to embark; but I will grant a free passage to Rio de Janeiro to whoever may be desirous to embark, in consequence of your wishes,

I have, &c.,  
W'M PATERSON.

LIEUTENANT-COLONEL JOHNSTON TO COLONEL PATERSON.  
(Colonial Secretary's Papers.)

Johnston's      Sir,      Sydney Barracks, 2nd March, 1809.  
witnesses.      I cannot forbear to express my surprise and concern at your calling the evidences named in my letter of yesterday's date, "four additional evidences," as if they had never been required before.

The list of      By referring to my letter to you of the 3rd February, and its  
names.      enclosures, you will see that those four persons are named as evidences "who it is indispensibly necessary should accompany me to England," and a reference to your reply of the 7th of February will establish your acquiescence with my request, only excepting Major Abbott and Mr. Harris.

Paterson's      I must also state that your secretary, Mr. Riley, in several  
previous      official conversations with Mr. Macarthur, expressed to that gentleman that you were determined to order those evidences over whom you had controul to accompany me, and that you had declared, "Nothing could be more unjust than to send me to England without the evidences to justify the measures I was called upon to pursue in this colony, and to prove my charges against the late Governor."

Passage      As the Gambier is to sail so soon as Sunday, I have to request  
money.      an answer to my letter of the 15th February respecting the passages of Mr. Macarthur and myself from South America to England, and of my letter of the 1st instant on the subject of the late Governor's papers.

Copies of the papers relative to the arrest of the late Governor are ready to be compared with the originals, and, when attested, to be delivered to whoever you shall be pleased to order to receive them. 1809  
2 March

I have, &c.,

GEO. JOHNSTON.

COLONEL PATERSON TO LIEUTENANT-COLONEL JOHNSTON.

(Colonial Secretary's Papers.)

Sir,

Head-quarters, Sydney, 3rd March, 1809.

3 March.

In answer to your letter relating to the passages of yourself and Mr. McArthur from South America, I have to inform you that I shall write to the British Ambassador and to the Naval Commander at Rio de Janeiro, requesting them to direct you the first conveyance that may offer under the controul of Government; and should no such opportunity offer, I shall give you my authority to draw on His Majesty's Treasury for the payment of the same. Johnston and Macarthur's passage money.

In reply to your letter enclosing a list of the books, papers, &c., found in the possession of the late Governor, I will direct my secretary to point out such as I think should be left in the colony as necessary to the carrying on the administration of its Government. Public documents.

Of the manner of disposing of the remainder, you are yourself a competent judge; and if you are desirous they should be returned to Commodore Bligh, with the arms taken from the Government House, and conceive my sanction is necessary, I beg to inform you I can have no objections, and at the same time to remind you of this officer's commission having been left in the quarters I occupy. Bligh's papers and property.

I will request two of the magistrates to attest the copies of the papers relative to the arrest of the late Governor, and when the examination is concluded shall direct my secretary to receive them. Attested copies.

I very much regret that at this period there should be any further arrangements desired with respect to my ordering evidences to attend you. I do not hesitate to acknowledge that nothing could be more unjust than to send you to England without evidences to justify the measures you were called upon to pursue in this colony, and to prove your charges against the late Governor; and I have directed the whole of those to proceed whom I considered you named as necessary to the testimony required on your own part, except Major Abbott; and I beg to call to your remembrance that you have on many occasions stated that the reasons of your naming the persons originally required by Commodore Bligh arose alone from your anxiety that they should be present in England to prevent the possibility of that officer stating he was in want of witnesses of his innocence. Johnston's proofs.

1800  
3 March.  
Witnesses  
passages.

I admit the propriety of this wish, and, as I have before apprized you, I will afford my sanction to whoever may accompany you, provide them a passage to Rio de Janeiro, and request the gentlemen I have before pointed out to procure them a conveyance to England; but I do not feel I should be justified in involving the Government in the necessity of the heavy expences that would follow my insisting their so proceeding.

I have, &c.,

W. PATERSON.

LIEUTENANT-COLONEL JOHNSTON TO COLONEL PATERSON.  
(Colonial Secretary's Papers.)

4 March.  
Bligh's  
papers:

Sir, Sydney Barracks, 4th March, 1809.

I have already had the honor to acquaint you, in my letter of the 23rd of last January, that there are many papers in my possession, amongst those which were taken from the late Governor, which are not in my opinion of the smallest consequence; and that copies of those which I consider it necessary to keep are prepared and ready to be delivered, with the whole of the others, either to the late Governor or to any person you shall be pleased to order.

his fire arms,

As I consider myself called upon by your letter to give my opinion on the propriety of returning the late Governor his papers and arms, I do not hesitate to declare that I think those papers which are proper to be returned ought to be sent to him. And as he has been allowed to embark on board His Majesty's ship Porpoise, and to assume the command of her, I cannot forbear to express my concern that his arms were not returned at the moment he was released from arrest.

and commis-  
sion.

Your notification of the late Governor's commission having been left in your quarters, I am at a loss to comprehend, as I must naturally conclude that the commission, patent, and seal of the colony, the indent book, and public registers, were regularly delivered to you by Lieutenant-Governor Foveaux when you took upon yourself the administration of the Government of the colony.

Johnston's  
witnesses.

I beg to assure you that I sincerely participate in the regret you express that there should at this period be any arrangements to make on the subject of the evidences who are to accompany me Home; but I console myself with the assurance I feel that, whenever the correspondence I have had the honor to hold with you on the subject is referred to, it will be seen that no blame can be justly attached to me.

Necessity  
for their  
presence in  
England.

The conversations to which you allude, I readily acknowledge did take place nearly to the effect you have repeated. I represented to you my anxiety that the whole of the evidences which had been required by the late Governor should go to England, that he might not be enabled to postpone an investigation of his conduct on the pretence of want of evidence; but I certainly subjoined

that there were some of the evidences in his list, who, as they had been the principal agents of his atrocities, were indispensably necessary as evidences on my part to prove his guilt. 1809  
4 March.

I cannot encourage a belief that His Majesty's Ministers would feel disposed to censure, or disapprove of the trifling expence that might be incurred to procure passages from South America to England for the persons I have named, when they are acquainted that the presence of these evidences may be necessary to prove whether the late Governor has been guilty of the offences with which he is charged, and whether the measure of suspending him from his command and placing him in arrest was absolutely unavoidable to secure His Majesty's Government from being dishonoured by insurrection and all its attendant horrors; but as you seem to think the expences may be disapproved, I hope you will at all events order the Judge-Advocate, who is the principal evidence, to accompany me; and that no time be lost, I have this morning written to him signifying that you have sanctioned my calling upon him. The cost of  
their  
passages.  
  
The Judge-  
Advocate.

I have, &c.,

GEO. JOHNSTON.

LIEUTENANT-COLONEL JOHNSTON TO JUDGE-ADVOCATE ATKINS.  
(Colonial Secretary's Papers.)

Sir,

Sydney, 4th March, 1809.

Having found it expedient to require that you should accompany me to England as an evidence of the oppressive and tyrannical conduct of the late Governor, and as one of the principal agents in these measures which were the immediate cause of his being put in arrest, I have His Honor Lieutenant-Governor Paterson's sanction to acquaint you that a passage is provided for you on the Admiral Gambier to Rio de Janeiro, on board which ship I have to desire you will immediately prepare to embark. Atkins as a  
witness  
against  
Bligh.

As the Admiral Gambier is to sail early in the ensuing week, it will be necessary you should accompany the master builder on board this day to give directions for your cabin, &c.

I am, &c.,

GEO. JOHNSTON.

JUDGE-ADVOCATE ATKINS TO LIEUTENANT-COLONEL JOHNSTON.  
(Colonial Secretary's Papers.)

Sir,

Sydney, 4th March, 1809.

In answer to your letter of this day's date, requiring me to proceed to England, I have to acquaint you that I positively and unequivocally refuse to comply with your request.\* Atkins  
refuses.

I am, &c.,

R'D ATKINS.

\* Johnston forwarded this letter to Paterson with a request that he would order Atkins to embark. Paterson (see his letter of 17th March, 1809, post, p. 77) refused.

1809

## GOVERNMENT AND GENERAL ORDER.

4 March.

Head-quarters, Sydney, 4th March, 1809.

Importation  
of spirits.

LIEUTENANT-GOVERNOR PATERSON having seen that very great inconvenience and injury is experienced by the prudent and industrious settler, from the length of time that has elapsed since they have been able to procure the least quantity of spirits, has authorized the master of the Admiral Gambier to import a supply for the express purpose of being divided in proportionate shares among them at 11s. 6d. per gallon, duties included.

## DR. TOWNSON TO VISCOUNT CASTLEREAGH.

5 March.

My Lord, Sydney, New South Wales, 5th March, 1809.

Townson's  
neutrality.

When so many of the principal characters of this colony are going to England to inform your Lordship of its distracted state, or to justify their own conduct, I think it prudent to address your Lordship, for that may probably be my fate which has been the fate of many in similar times, that whilst I have endeavour'd to observe a just medium during a time of great confusion and party spirit, I may have incurred the enmity of all; for I know that Mr. J. Blaxland, one of the most respectable settlers sent to this colony, has been accused both by Gov'r Bligh and by those who wrested the power from his hands, and, however justly those who are going to wait upon your Lordship may be considered as the representatives of the civil and military officers, they are by no means the represent'es of the settlers. This is a momentous crisis for this colony, in the welfare of which, as a principal settler, I am highly interested; for it will depend upon your Lordship's arrangements whether it will be possible for me to settle here or not.

Townson  
signs  
requisition  
after the  
arrest.

In regard to the arrest of Gov'r Bligh, I can say very little, as none of the proceedings which lead to it ever came before me, and I know nothing but by report. The order for his arrest was issued and the detachment sent before I knew of it. I then, with others, put my name to a paper,\* trusting that those who had order'd so strong a measure had sufficient grounds to justify their conduct; and having at this time not yet obtained my land, cattle, &c., my prosperity entirely depended upon those who had assumed the command. Common prudence therefore required that I should acquiesce in their measures as far as I could with propriety. But, my Lord, I went no further; for when, immediately after the arrest of Gov'r Bligh, it was proposed by Cap'n McArthur that Major Johnston should be requested not to resign his command, even to a superior officer, untill he should sanction the arrest of Gov'r Bligh, I ventured to tell the Major's aide-de-camp, Lieut't Lawson, that this was rebellion. This second paper† I never sign'd, and everything now assuming a revolutionary appearance, as the

The second  
address to  
Johnston.

\* Vol. vi, p. 434.

† Vol. vi, p. 454.

dismissal of men in office, triumph't rejoicings, bonfires, &c., &c., &c., I never interfered in public matters ; and when the colleagues of Cap. McArthur assembled the multitude to appoint him delegate and to raise a subscription for defraying his expenses in England, and also to purchase a piece of plate to be presented to the regiment, and a sword to Major Johnston, I declined the meeting and the subscription.

1809

5 March.

Being one of the principal settlers my conduct was not indifferent to those in power, and I attribute to this the harsh usage I afterwards received ; for though I acted with too much circumspection to give them an occasion to harass me with criminal prosecutions on frivolous grounds, yet, to say the least, they put an unfavourable construction on everything I said or did ; and as everything I had a claim to as a new settler I had still to receive, these were denied, delayed, or given me to the greatest disadvantage.

Townson  
and the  
officers.

If, my Lord, a conspiracy was formed by Capt'n McArthur, Lieu't Bayly, and others against Gov'r Bligh, as some now suppose, I had no knowledge of it. I was yet a stranger in the country,\* ignorant of the caballing spirit of its leading characters, and incapable of obtaining any information but through those very persons who had an interest to deceive me. The conduct of Gov'r Bligh appeared to me impolitic, harsh, and vexatious, independent of what lead more immediately to his arrest ; but I must say that the conduct of those who took his government from him has been more impolitic, persecuting, and interested ; for no sooner was Capt'n McArthur in office than he used his newly acquired power to harass all those he considered as his rivals ; and having of late engaged in shipping and commercial concerns, every active enterprizing merchant, as well as the successful cattle-breeder, was a rival, and now scarce a ship enter'd the harbour but an attempt was made to seize or detain it upon some pretext or other ; and, having the distribution of the Government cattle, he gave out (except to a few favourites) such as were not worth having. Major, now Lieutenant-Colonel, Johnston, seemed equally intent upon taking advantage of his newly-acquired power. Though he was the first to pity me during the power of Gov'r Bligh, and then thought me very ill used by not obtaining my land and cattle, yet the land I had fixed upon at Emu Island, and which he himself promised me, he afterwards refused, and made a grant of it to his son a lad not 18 years of age, and not then in the colony. So, my Lord, after coming so far, and having an order or letter from the Secret'y of State's Office, my land is to be withheld from me. This transaction will shew how respectable settlers sent by Government are treated here ; indeed, if something is not done by your Lordship, an order for a grant of land will be of no service to the settler. It is now the common boast of those

A stranger  
in the  
country.Macarthur  
in power.Major  
Johnston.Townson's  
land grant.

\* Townson arrived on 6th July, 1807.

1809

5 March.

Settlers  
dependent  
upon Go-  
vernment.The Go-  
vernor's  
powers.Townson's  
land and  
cattle.Macarthur  
and the  
officers.

in power here that they can vex and persecute us and you cannot protect us. "We lay it on, let them take it off if they can" is their common saying.

I hope your Lordship will not censure me for writing to you on the affairs of this colony. Recollect, my Lord, the immense distance we are from your Lordship's protecting power, and that our dependance upon the Government here is much greater than that of our fellow-subjects in Britain, and that we feel immediately and individually the sad effects of bad men in office. Here, those who should foster us, harass us; those who should protect us, destroy us. At our first setting out as agricultural settlers our prosperity entirely depends upon the Governor, for the sources of it are our land, cattle, and labourers; and these, under various pretexts, may be denied, delayed, or so granted as to be not worth accepting; for there is land not worth accepting, cattle not worth the £28 we pay for them, and men wholly useless, or not worth superintending. The effect of his influence extends to the most trifling of our wants, and to the greatest of our necessities. Just before the meeting for appointing Cap't McArthur delegate, I received an official note to inform me "that the whole of my requisitions, or requests, were complied with"; but after I had refused my signature to the subscription, I met constant opposition. My land was not given me as I wished it, so that of 2,000 acres order'd me by your Lordship's predecessor, only about 1,000 are of any use to me. After waiting ten months' for my cattle, by which I lost one year's increase, such were given me that I believe I could not now sell them for the price I gave for them. Some were in a sickly state, yet I was not suffer'd to refuse or return them; yet, till this time, the cattle given out to the settlers at £28 per head were worth about £40. This was a *douceur*—a favour and assistance to new beginners. In short, my Lord, whilst they wanted me to countenance certain measures, they promised me everything I had a claim to; but when, preferring my duty to my interest, I would not accede, they thwarted me in everything, or if, for appearance sake, granted as to the letter, they were denied as to the spirit. As long as the favours of Government are bestowed by those who do not wish us to prosper they will never be of any use to us. Ask Gov'r King or Gov'r Hunter whether he thinks Cap'n McArthur, and the senior officers, wish to see men of property and talents come amongst them. They will say no. They view us as rivals, and grudge us every little favour we claim at our first setting out as settlers, and without which they know we cannot prosper. Was it probable that Cap'n McArthur would give good cattle from the Govern't herds to those he expected would be his rivals; or whilst he was endeavouring to sell his own cattle at £50 p'r head, could he wish to see as good sold from the Govern't herds at £28?

At present, my Lord, the respectable settler is a most wretched being. He has no friend except in the Governor; and if that Governor is the commanding officer of the regiment, he has no friend at all. Neither his property nor his person is secure; for, consider the administration of justice here: the Bench of Magistrates is composed of civil and military officers; the Criminal Court of military officers. The settler, if accused, is brought first before the Bench; by them he is committed to take his trial before the Criminal Court, and, if convicted, he pleads for mercy to their commanding officer. In civil causes the Governor forms a Court of Appeal. The *esprit de corps* is strong here. Tho' the senior officers are generally at variance with each other, yet, where they have a common interest, they unite. Yet, my Lord, there is no country in which a man is so exposed to be unjustly accused, and of a capital offence, as in this. The agricultural settler is living in the forests among his convict labourers, unguarded and unprotected. Thefts and mutinies will occur, and to protect his property or his life it may be necessary to resort to arms. The natives during the harvest frequently commit great depredations, and in driving them off death may ensue.

I will not trespass longer on your Lordship's time; but I must assure you it is useless, it is even cruel, to send out respectable settlers whilst the Government here is inimical to them. They must return or quit their agricultural pursuits for commercial, and fall into the great and impure mass of ex-convict shopkeepers and dealers. Remove but the senior officers, send us an able and upright Governor, accompanied by a Judge-Advocate bred to the law, and this colony will soon become a desirable residence for respectable settlers, who will rapidly increase as in all new countrys, and form a body of gentry and yeomanry which I believe to be the wish of His Majesty's Ministers; but as this colony is at present it is only fit for convicts and military and other adventurers, who, having nothing to lose, generally prosper most in ill-governed communities and in time of public calamity, and these in fact it is who alone have made fortunes here.

I beg leave to remind your Lordship that Lt.-Col. Johnston, Capt'n McArthur, Surgeon Jamison, &c., who are now on the point of sailing for England, are not the representatives of the settlers, only of the military and civil officers.

Tho' I write with freedom, I beg your Lordship will believe that I am, &c., &c.,

ROBERT TOWNSON, LL.D.

VISCOUNT CASTLEREAGH TO MRS. KING.

Madam,

Downing-street, 7th March, 1809.

7 March.

I have received your letter of the 15th ultimo, referring to your memorial presented through General Davies, and representing the distressed situation of yourself and family in consequence

1809  
5 March.

The settler  
and the  
officer.

The law  
courts.

The natives.

The difficul-  
ties of free  
settlers.

A field for  
adventurers.

Officers'  
representa-  
tives.

A pension  
for Mrs.  
King.

1809 of the unprovided state in which you are left by the death of  
 7 March. your late husband Lieut.-Governor King; and I have to acquaint you that, in consequence of Lieut.-Governor King's public services, His Majesty has signified His pleasure that an allowance should be granted to you during the remainder of your life at the rate of £200 per annum, to be included in the public estimate for the colony of New South Wales, and to take place from the period of Lieutenant-Governor King's decease, a notification of which I have to request you will furnish me with.\*

I am, &c.,  
 CASTLEREAGH.

COLONEL PATERSON TO ROBERT CAMPBELL & Co.

8 March. Gentlemen, Head-quarters, Sydney, 8th March, 1809.  
 Cattle for Hobart.

Having learnt that a contract for the importation at His Majesty's settlement on the River Durwent of a large quantity of cattle from Bengal has been proposed by Lieutenant-Governor Collins to your House, I feel myself compelled to inform you that I am persuaded His Majesty's Ministers will highly reprehend the measure, the late Governor having been expressly instructed to the contrary by Lord Viscount Castlereagh, who at the same time intimated the propriety of a portion of the cattle at Port Dalrymple being sent thither from that colony, of which I was never informed.

Increase at Port Dalrymple.

From my own conviction of its propriety, Lieutenant-Governor Collins is, however, aware of my intention of directing a draught from these herds to be made, which have already, from their increase, become sufficiently large for every demand of both the settlements.†

Collins's action disapproved.

I, therefore, conclude that you will be convinced that the expenses attendant on this unnecessary addition to the stock already in the hands of the Government in that island will not be sanctioned by His Lordship, and that I am necessitated to express my own entire disapprobation of any attempt to incur it

I am, &c.,  
 W<sup>M</sup>. PATERSON.

COLONEL PATERSON TO GOVERNOR BLIGH.

Sir, Head-quarters, Sydney, 8th March, 1809.

Papers seized at Bilgh's arrest.

Having received from Lieutenant-Colonel Johnston a list of the papers, letters, and books, taken by a committee from the Government House in consequence of the suspension of your

\* See Castlereagh's letter to the Lords of the Treasury, April, 1809, post, p. 111.

† In his letter to Castlereagh of 23rd March, 1809 (post, p. 85), Paterson expressed his belief that 300 head of cattle could be sent from Port Dalrymple to Hobart. The cattle were, however, landed by Campbell & Co., on 15th March, 1809.

authority, and of those he has judged necessary to detain as evidences, of which [he] has returned attested copies,—I should apprise you there are certain documents which appear absolutely indispensable to the administration of the Government of the colony, and I propose in consequence to receive them until I may be relieved from the execution of it, enclosing herewith a list of the same. I have further to add, the remainder are ready to be delivered to yourself, and shall be given to Mr. Griffen or sent on board His Majesty's ship Porpoise, as you most prefer; and should you be desirous of having the attested copies compared with such originals as are detained by Lieutenant-Colonel Johnston, I shall direct that they be submitted at my office to the inspection of your secretary at any time you wish to appoint.

1808  
8 March.

I am, &c.,

W<sup>M</sup> PATERSON.

P.S.—I have omitted to state that there having been certain arms removed from Government House with the aforementioned papers. I have given directions for their being returned to whoever you may appoint to receive them.—W.P.

[Enclosure.]

1. Great Seal of Territory.
2. Patent of Colony.
3. Copies of Letters from Secretary of State.
4. Muster Book left by Governor King.
5. Indents of Prisoners, 1 and 2.
6. Registers of Grants, 1, 2, and 3.
7. { 4 Documents left by Gov'r King :—  
Agreement for renting Salt-pans.  
Do with G. Meilmaker.  
Papers on Brewery.  
Do on I. Nicholl's House and debt of McDoual.
8. Memorial of Simeon Lord to Gov'r Bligh.
9. Nash's Agreement on Tanning.
10. Small Colonial Seal.
11. Six Appeals undetermined.
12. Documents from Gov'r King respecting Commerce.
13. Seven decided Appeals.
14. Muster of Prisoners by Duke of Portland.
15. Naval Bonds.
16. Agreement for repairing Parramatta Road.
17. Original Chart of the Colony.
18. Muster of Convicts by Alexander.
19. Five East India Bonds.
20. List of Convicts by the Fortune.
21. Patent Book left by Governor King.
22. Seven Rolls of Charts.
23. List of Returns to be made from different Officers, &c., to Governor.
24. Papers relative to brig Perseverance.
25. Dispatches by Duchess of York.
26. Blake's Pardon.
27. Prosser's Emancipation.
28. Dargin's Grant.

Paper's  
detained by  
Paterston.

1809

BRIGADIER-GENERAL NIGHTINGALL TO ———.\*

10 March.

My dear Lord, 70, Wimpole-street, 10th March, 1809.

Nightingall's illness.

I am extremely concerned to say that I have been confined to my room ever since I had last the pleasure of seeing your Lordship in St. James's Square, and altho' getting better, I am still very weak. The complaint, having fallen in my right arm and wrist, has prevented my using a pen. In consequence of what your Lordship was so good as to mention to me, I have employed several friends to look out a proper person to hold the situation of Judge in New South Wales. Your Lordship will perceive by the strong testimonials which accompany my letter of this date, that a gentlemen of Mr. Bent's† character and reputation in his profession cannot be supposed to give up all his prospects in this country unless the situation of Judge is rendered more respectable and the salary considerably encreased. I should imagine, however, that Mr. Bent would be happy to undertake the office, and ready to proceed with me, provided the salary could be increased to about eight hundred pounds a year, which I trust, under the circumstances of the case, will not be deemed unreasonable. I beg leave further to add, that as the circuits are fast approaching, it is of great importance to Mr. Bent that his application should meet with an early decision.

Ellis Bent :

his salary.

I have, &amp;c.,

M. NIGHTINGALL.

MRS. KING TO ADMIRAL ESSINGTON.

11 March.

My dear Sir,

11th March, 1809.

Governor  
King's rank.

The inclosed is a copy of Lord Castlereagh's letter to me,‡ and I trust to your goodness to point out to your able friends the mistake that has arisen in my late husband's rank, he having received His Majesty's commission to act as Governor of New South Wales and its dependencies, &c., &c., where he served seven years as Governor, and gave universal satisfaction, as the inclosed copy, A, a letter from Lord Castlereagh to him, will shew. The pension His Lordship has pointed out of £200 (pounds) per annum, deprives me from receiving the widow's pension of eighty pounds p'r year; so that in fact Government only gives me £120 p'r annum. If you will, my dear sir, have the goodness to interest yourself in this business I shall feel myself under the greatest obligation. Will you oblige me with a line to inform me if it is necessary to produce my husband's commission, I shall be obliged.

Mrs. King's  
pension.

With united respects to Mrs. Essington, I have, &amp;c.,

A. J. KING.

My late husband took possession of the Gov't the 28th Sept., 1800, and gave it up the 12th August, 1807.§

\* There is nothing to show to whom this letter was addressed; in all likelihood, however, to Viscount Castlereagh.

† Ellis Bent was appointed Judge Advocate on 1st January, 1809.

‡ See Castlereagh's letter of 7th March, 1809, ante, p. 61.

§ Probably a copyist's error. King relinquished the Government on 12th August, 1806.

JAMES JOHN GRANT TO GOVERNOR BLIGH. (Bligh Papers.)

1809

Sydney, 11th March, 1809.

11 March.

May it please your Excellency,

Permit me to pay the only tribute of honor and respect left in my power, which is a silent tear at your departure. It is a grateful tear, due to your Excellency for your meritorious acts in this colony, and it is sincerely to be lamented that the citizen and industrious settler are deprived of their father, protector, and unerring guide. All this was centred in your Excellency, of which we have been robbed by a rebellious set of soldiery, a set of tyrants and usurpers, who extorted from us our names to their lawless proceedings to justify their infamous attack on the person of your Excellency.\* They succeeded in their views, and obtained the signatures of hundreds from fear, dread, and terror, as their rage had no seeming bounds; but your Excellency may be assured that we long for that day on which we can avow our sentiments, declaring you as our Governor and father and our protector, and that our signatures were obtained from motives of fear for our lives and property, and, when we are relieved from the iron rod of tyranny and oppression now suspended over our heads, it will appear that the signatures of the major part of the people were extorted from them nearly three weeks subsequent to the arrest of your Excellency; a true narrative of all which, and what took place even before and since the 26th January, 1808, I have communicated to Sir William Grant, Master of the Rolls, and others of equal eminence in London, who, I have no doubt, will communicate my sentiments to your Excellency.

A tearful farewell.

Addresses to Johnston.

The corruption that has crept into our rebellious Government is such as will disgrace the historical annals of the present and future ages; commencing with Mr. Atkins, who prayed to be restored to his situation, the colony at large will declare his infamous drunken character, as well as the rebel Grimes who succeeded him; and as for Captain Kemp, of the New South Wales Corps, who officiated after Grimes, his villany was truly exemplified on Friday last when giving testimony on oath before the Criminal Court, when he admitted that he had committed an error by granting letters of administration. I crave the attention of your Excellency to this circumstance, and I trust it will not escape your notice to British Government that we may be relieved from our perilous state.

A list of unjust judges.

Your Excellency, the father of your people, commiserate our misfortune, and by your humanity condescend to interfere with British Government for the salvation of innocent lives. All are at stake alike now that are inimical to those rebels who govern the colony, and the wealth of MacArthur renders them all slaves to his wishes.

MacArthur's power.

\* James John Grant signed the requisition of 26th January 1808 (vol. vi, p. 434).

1809

11 March.

Palmer in  
communication with  
Bligh.

I have only this opportunity to apologise to your Excellency for my intruding thus far with a voluntary letter, and to crave permission to communicate further through the medium of Mr. Palmer, who, I am confident, will use every precaution in conveying it to your Excellency, and I have no doubt but I will be aided by many who are unhappy at your departure.

May God bless your Excellency, and enable you to trample your enemies under foot, and that you may have a safe and speedy passage to England, and as speedy a return to rule over us that are, and will remain, your affectionate, altho' miserable and unhappy people.

I have, &c.,

JAMES JOHN GRANT.\*

PROCLAMATION.†

12 March.

"PROCLAMATION by His Excellency William Bligh, Esquire, Captain-General and Governor-in-Chief in and over His Majesty's territory of New South Wales and its dependencies, and Commodore commanding His Majesty's ships and vessels employed in the South Pacific Ocean, &c., &c.

The N.S.W.  
Corps in a  
state of  
rebellion.

"I HEREBY publicly proclaim the New South Wales Corps to be in a state of mutiny and rebellion, now under Colonel Paterson's command; and I do forbid any master or masters of ships, at their peril, taking any person or persons connected, or supposed to be connected, in the rebellion out of the colony or its dependencies to any place whatever, either in or out of His Majesty's dominions, particularly any officers of the said Corps, or John McArthur (settler), Nicholas Bayly, Garnham Blaxcell, Richard Atkins, Gregory Blaxland, John Townson, Robert Townson, Robert Fitz, Thomas Jamison, Thomas Hobby, Alexander Riley, D'Arcy Wentworth, James Mileham, Thomas Moore, and Walter Stephenson Davison.

"Given under my hand, on board His Majesty's ship *Porpoise*, Port Jackson, New South Wales, this 12th day of March, 1809.

"WILLIAM BLIGH."

EX-GOVERNOR BLIGH TO ————‡

His Majesty's ship *Porpoise*, in Port Jackson,

Sir,

12th March, 1809.

Bligh to  
relieving  
officer.

I feel confident that whoever is the officer His Majesty has been pleased to send out to my succour, and who I have the honor

\* Grant's name appears amongst the signatures to the address of free inhabitants, presented to Bligh in September, 1806, and printed on p. 188 of vol. vi, and also to the requisition requesting Johnston to arrest Bligh. The caligraphy suggests him to have been a man of more than ordinary education.

† For having published this proclamation after the departure of Governor Bligh, Messrs. Palmer and Hook were summoned before a Court of Criminal Judicature. They refused to recognise the competency of the Court, and would not plead. They were fined £50, and, in addition, Palmer was sentenced to three months' imprisonment, and Hook to one month.

‡ This letter was addressed by Bligh to "The Commander-in-Chief of the Succours from England to Governor Bligh." It was left in the custody of Mr. Commissary Palmer, by whom it was handed to Governor Macquarie on 29th December, 1809.

to address, will have every support from the loyal inhabitants of this country, who will be anxious to express their joy upon his arrival. 1809  
12 March.

I have at last by finesse got possession of my ship, but I am sorry to say my officers are very improperly disposed. Their connexions with the rebels have made them like themselves in opinion. Stratagems upon stratagems are devised by the rebels to circumvent me, and take me out of my ship. Therefore, not having any confidence of support, I mean to remove for the present to the Derwent, where you will immediately send me intelligence of your arrival; and, until I return, which will be as speedily as possible, I have to require you will detain in safe custody all persons connected with the rebellion, and for your information I enclose a copy of my proclamation of this date. For further particulars I must refer you to Mr. Commissary Palmer, Mr. Gore, Provost-Marshal, Mr. Campbell, Naval Officer, and the Rev. Henry Fulton, gentleman, who have been deprived of their authority by the said rebels. Bligh's strained relations with his officers.

Various are my conjectures when your force may arrive. These are the doubts which render it impossible for me to enter into particulars more than what I have already. That it may be speedy, and that everything may turn out to your wishes, is the earnest hope of, sir, The expected relief.

Yours, &c.,

W<sup>m</sup> BLIGH.

#### COLONEL PATERSON TO VISCOUNT CASTLEREAGH.

My Lord, Sydney, New South Wales, 12th March, 1809.

I have the honor of informing your Lordship of having arrived from Port Dalrymple at the head-quarters on the first day of the present year, my letter to your Lordship from which place will have acquainted you of the principal causes of being so long prevented leaving that settlement. I must add to these that a continuation of the most serious attacks of sickness, materially contributed to by the personal exertions I have been obliged to make in the formation of the colony, have so shattered my frame that I should have deliberately concluded my destruction by venturing a precarious passage in a small vessel. Paterson's arrival at Sydney.

The very particular circumstances attending the necessity of my relieving Lieutenant-Colonel Johnston in the command of the territory had, I must confess, caused me to suffer much anxiety at having been so long detained, which was, however, considerably relieved by the arrival of Lieutenant-Colonel Foveaux, announced to me in the despatch of which the enclosed is a copy,\* whose conduct towards the late Governor appeared so regulated by caution that I could not for a moment doubt he was influenced Relief of Foveaux.

\* See Foveaux's despatch of 16th August, 1806, printed on p. 736 of vol. vi.

1809 in the decisive line he found it necessary to observe by any principle than a sense of duty, and a conviction of the impossibility of restoring with prudence or safety to the colony the authority that  
 12 March. had been suspended by Lieutenant-Colonel Johnston.

Paterson's  
line of  
conduct.

As I represented to your Lordship in my despatch of September 19th, I had myself determined to adhere to the most particular deliberation in exercising the trust I have been compelled to receive, altho', as your Lordship will perceive by my reply to the first communication I received from Commodore Bligh upon the suspension of his power, it was my unqualified opinion that the interests of the territory, equally with his own, required that he should proceed to England.

Immediately on my arrival within the heads on His Majesty's ship Porpoise, I received the following intelligence by express from Lieutenant-Governor Foveaux :—

Threatened  
arrest of  
Paterson.

“ Having had information that it is the intention of Captain Bligh to give orders to the officer commanding His Majesty's ship Porpoise to put you under arrest and detain you on board as a prisoner as soon as that vessel shall arrive in the harbour, I have adopted such measures as appears to me most likely to counteract his design, and to ensure your landing in safety, and assuming the command as Lieutenant-Governor of the territory.”

Having in no instance given Commodore Bligh the most trifling cause to contemplate an act of such unjustifiable violence, your Lordship will judge of my indignation; but I resolved to pass over unnoticed his reprehensible intentions, and endeavour to convince him how unnecessary and criminal they had been.

Paterson's  
pacific  
intentions.

I had circumscribed to myself a line of conduct, in an observance of which I hoped it might have been possible to have rather ameliorated the situation his conduct had caused him to be placed in, than in the most trivial instance recurred to further restraints. I lament, however, to add how fallacious had been my expectations when I conceived it possible to carry on the executive department of the Government in peace and quiet during his presence at the seat of it.

Johnston  
and  
Foveaux's  
despatches.

Presuming your Lordship will have long been in possession of the whole of the despatches of Lieutenant-Colonel Johnston, and of the representations forwarded you by Lieutenant-Colonel Foveaux of the state in which he found the colony on his arrival, detailing at the same time the causes that obliged him to support the measures of the officer he relieved, there is left me no cause to enter into the relation of the events of the past year, as, in the possibility of any of the papers I mention having miscarried, triplicates are taken by the just-mentioned officer himself, and duplicates are forwarded with my present by the latter.

Truth, however, behoves me to say it appears to me, in the most unprejudiced enquiry, that the whole measures of the late Governor were so speciously arranged that under the semblance of being totally absorbed in intentions to advance the prosperity of the settlement, and contribute to the welfare and happiness of the individuals composing it, he bore the most rancorous ill-will to every officer and inhabitant who he conceived could possibly in the remotest manner interfere with a matured plan of exercising the high command with which he was honoured in the purposes of gratifying his insatiably tyrannic disposition, and advancing his pecuniary interest.

1809

12 March.

Bligh's  
alleged  
policy.

Whoever was so sufficiently ill-fated as to be deemed an obstacle to the entire accomplishment of these objects were, I fear, by open or indirect means, certain of all the ruin he could ensure them ; and so impressed were the inhabitants with a dread of the evils they saw gathering to overwhelm them, that it is painful at this period to contemplate the consequences which must have followed the continuation of his power.

Personal  
animosities.

Your Lordship will perceive by the details I have alluded to that Lieutenant-Colonel Johnston saw it necessary to prevent any communication between Commodore Bligh and His Majesty's ship *Porpoise*, from the determination he evinced of employing his authority afloat to the interruption of the service of the colony. When Lieutenant-Colonel Foveaux arrived, under the impression, I must believe, that fatal experience would operate in certifying to this officer the impropriety of exercising his power to the injury of the Crown, he removed the restriction ; but a short time proved how erroneous had been his conclusion, and he was necessitated to recur to the measure adopted by Lieutenant-Colonel Johnston, when the circumstance of Captain Porteus arriving in the *Speke* again gave rise to confusion to the Colonial interest, and opposition to it on the part of Commodore Bligh.

Bligh's naval  
authority.

The above gentleman, agreeable to the instructions from the Right Honorable the Lords of the Admiralty, very properly waited upon him as the First Commander of His Majesty's ship to which they had been pleased to appoint him, who in that capacity gave him directions to place himself under his orders.

Porteous  
waits on  
Bligh.

At the time of the arrival of Captain Porteous the *Porpoise* had not returned from Port Dalrymple, on my landing from which place on the 1st January I found her again under the control of the officer who, I am distressed to say, was not by any inducement to be convinced she was stationed at this port with the intention of contributing to the interests of His Majesty in the progress of the colony, and not alone for the protection of his own person.

H.M.S.  
*Porpoise*.

Much as I lamented the situation of the *Porpoise* rendered it impossible for Captain Porteous to act without the consent of Commodore Bligh, and apprehended the consequences that would ensue from any power whatever devolving to him while in the

The naval  
command.

1800  
12 March.

colony until His Majesty's gracious pleasure should be known, yet I felt so diffident of my judgment being able to guide me in determining how far the services of this vessel were positively destined for the territory, and, admitting that they were, how far it would be deem'd improper interfering with the regulations of the Navy should I attempt to enforce such assistance, that I proposed to suffer an intercourse to continue, under the impression that if any unpleasant consequences should ensue I had endeavoured to act for the best, singularly situated as I found myself.

Paterson  
and Bligh.

The evils I had apprehended became, however, too soon evident. Commodore Bligh, regardless of the peculiar situation in which he was placed, regardless of the anxious duties he must have well known had fallen unsought-for to my portion, and insensible that the annulment of his power, from whatever cause proceeding, should not have induced him to impede the interests of the Crown, endeavoured by every means to frustrate my wishes of acting with the consideration towards him he could not but have been aware it was my habit and intention to have testified.

Bligh orders  
the seizure  
of des-  
patches.

He gave orders, I knew, for all dispatches being seized from every vessel that might arrive, and caused it to be circulated that he should not permit a vessel to leave the harbour in which I might direct any resident of the colony to proceed to Europe; nor did he scruple to make use of the most virulent reflections on my having judged that duty prevented my replacing him in his command previous to the instructions of His Majesty's Ministers, altho' he must have been well convinced that his own and many lives would have been lost had I been sufficiently rash to attempt it; but these reflections were so industriously propagated by the few who are interested in adhering apparently to him, that it considerably weakened the respect and confidence of the people in the executive power, and tended materially to slacken the exertion of the settlers who have begun to revive from the lethargy and dread his government had caused throughout the colony.

Paterson  
forced to  
extreme  
measures.

These and many other similar circumstances gave me much uneasiness and vexation, disposed as I was to exercise the utmost moderation towards him; but I concealed my sensations, and determined if possible to adhere to the resolution I had at first formed. His insensibility to the interests of the country compelled me, however, at last either to acknowledge myself incapable of resolution sufficient to carry on the necessary operations of the Government, or to resort to a measure, from the necessity of which I had most sanguinely hoped he would have relieved me, altho' those who, from experience, acquired a more accurate knowledge of him long before saw and represented the folly of my hopes.

The evacua-  
tion of  
Norfolk  
Island.

Your Lordship will have learnt that the evacuation of Norfolk Island proceeded so far as to render its completion necessary, previous to the arrival of counter orders brought by Lieutenant-

Colonel Foveaux; and it having become absolutely requisite, to prevent their destruction by want, to transport provisions there, or bring away the remainder of the inhabitants left on the island, I, on the 24th January, requested by the enclosed letter\* that His Majesty's ship Porpoise might proceed to fulfil the purpose, it having been intimated in Mr. Windham's letter, ordering the evacuation, that it was, if possible, to be performed by the vessels belonging to the Crown; and the only Colonial vessel we have here not being of burthen by any means sufficient, and the Porpoise being in the harbour at great expense entirely unemployed, I considered I should be judged highly culpable by your Lordship if I incurred the heavy charge of hiring a transport when she could so well accomplish the object required.

1809

12 March.

Proposed employment of the Porpoise.

Under these circumstances, I confess I did not expect my request would have been treated with the contempt it met with from Commodore Bligh, who positively prohibited Captain Porteous permitting her to sail.

Bligh's opposition.

The forbearance I had to this moment would have, if continued, now become criminal. I saw I must act with a decision I had been from many reasons anxious to protract, and instantly bring to a conclusion a contention that tended in the most glaring manner to the subversion of the interests of the territory.

Having every reason to believe he was much swayed in his resolution to refuse the assistance of the Porpoise by those people who have by their former counsel accelerated the event of the 26th January, and who were in the constant habit of, I may say, living at Government House, I conceived it immediately necessary, in the first instance, to prevent their egress to it, and to direct that his communication with the vessel should pass thro' myself, as had been previously found necessary by Lieutenant-Colonel Johnston and Lieutenant-Colonel Foveaux on a similar occasion before the arrival of Captain Porteous.

Bligh's advisers.

Seeing also that no peace was to be expected in this unhappy colony while he remained in it, and sorry that I had not earlier taken the step, I immediately proposed terms to the master of the Admiral Gambier, a commodious and new vessel of 500 tons, and informed Commodore Bligh it was my intention he should immediately proceed to Europe with Lieutenant-Colonel Johnston and such persons as they might both require to personally explain to His Majesty's Ministers the events causing and arising from the suspension of his Government.

Paterson proposes to send Bligh Home.

I thus hoped the settlement could have some relief from the convulsion it was suffering, and that His Majesty would be graciously pleased to approve the only step left me to pursue. In this intention I however met with the late Governor's usual opposition, he refusing to go but by force, well knowing how reluctantly I should resort to such measures.

Bligh refuse to go.

1800

12 March.

—  
Officers  
argue with  
Bligh.

I then requested Lieut.-Col<sup>l</sup> Johnston and Major Abbott would proceed to the Government House with the message from me, and to endeavour by remonstrance to convince him of the injustice to the service, and the impolicy to himself, in opposing in so pointed a manner the welfare of the settlement.

The hopes I had formed of the result of those gentlemen waiting on him were, however, as fruitless as those I had before entertained. He refused his assent to the Porpoise contributing to the support of the colony, and was in consequence removed to an officer's barrack that had been provided for his reception.

I now determined to proceed in my intention of taking up the Admiral Gambier, and having notified my resolution by requesting he would give orders to the master builder for such accommodations as he required, he caused it to be intimated to me he wished to proceed to Europe in his own ship; and seeing that the very heavy expence of the chartering the Gambier would be thus saved, that the Porpoise was rendered otherwise useless by the restriction he has placed on her commander, and desirous to, if possible, accord with his desire, I consented. In consequence, the paper No. 6\* was immediately signed by us, and he directly returned to Government House in full enjoyment of all the intercourse that had before been so freely permitted him.

Bligh to go  
Home in the  
Porpoise.

He embarks.

On the 20th ultimo, he accordingly embarked on board the Porpoise, yet has to this day given every reason to believe he is undetermined whether to fulfil his pledge or not; but learning that he has suddenly resolved to sail the first fair wind, I have to close my present letter under the apprehension of the vessel's sailing without any communication from me.

Alleged  
abuse of his  
liberty.

I sincerely hope my intelligence of his intention to leave the harbour is correct, as his conduct since embarking has tended to increase the agitation of the colony. So late as Friday he forbade the master of the Admiral Gambier taking on board any of the officers I have directed to proceed to England, in violation of the promise he so solemnly made not to interfere in any manner with the regulations of the existing Government of the colony, and guided, as he is, by momentary impulse, I shall not be surprized at any attempt he may make, however rash; but if he should again exercise with impropriety the power I have in faith restored to him, the consequences must ultimately reach himself.

Bligh's  
witnesses.

Commodore Bligh having, when on the point of leaving the colony, previous to my arriving in it, demanded that the persons named in the margin† should accompany him to England, I requested he would apprise me of the names of those he now

\* Ante, p. 17.

† Mr. Atkins—Judge-Advocate; Mr. Campbell, Mr. Palmer, Mr. Arndell, Mr. Williamson—Magistrates; Reverend Mr. Fulton; Mr. Gore—Provost Marshal; Mr. F. Oakes, Mr. B. Rouse, Mr. N. Devine, Mr. A. Thompson, Mr. George Crossley, and G. Dowling.

wished should proceed, but received in answer that he declined taking any person except his secretary and domestics. 1809

The second day after his embarkation he however demanded that Mr. Palmer, the late Commissary, should be allowed to proceed in the same vessel; but Mr. Palmer having obstinately refused to give any satisfactory document to enable the claims on Government previous to his suspension being liquidated, I have been compelled to prevent his leaving the colony. 12 March. — Commissary. Palmer.

These claims, exceeding the sum of £2,000, are the greater part for grain delivered by individuals into His Majesty's store in the early part of last year, for which Colonel Johnstone has expressed his readiness to take on himself the responsibility of drawing, to relieve the holders of the receipts from the serious injury they are suffering by remaining so long unpaid. Mr. Palmer has been solely required to certify whether the sums are to his knowledge due the applicants; but, careless of the disgrace he thus attaches to the Government securities, he persists in refusing. Charges against the Commissary.

Previous to discovering Commodore Bligh's intention to embark in the Porpoise, I had judged it expedient, as I have explained to your Lordship, to charter the Admiral Gambier, which being now rendered unnecessary, I was much pleased to find that the master, with the utmost readiness, relinquished the agreement I had made with him on behalf of the Crown, and further engaged, in consequence of a contract which I have found absolutely necessary for the safety of the colony, to procure 150 tons of rice (as I shall explain to your Lordship in another letter), that he could afford accommodation, free of expense, to any gentleman I should have occasion to name as far as the Cape of Good Hope or Rio de Janeiro. Chartering the Gambier.

At the several requests of Lieut.-Colonel Johnston, I have therefore ordered that officer to proceed in this vessel, and acquainted him that the whole of the evidence he might desire should have my sanction to leave the colony, Major Abbott excepted, whose absence the service of the Regiment cannot at this time permit, Lieut.-Colonel Johnston has in consequence named John Jamieson, Esq., Principal Civil Surgeon, and John Harris, Esq., the Principal Surgeon of the Regiment, and Jno. McArthur, Esq., who at his particular desire, and stating them to be absolutely necessary to the explanations he has to give, I have ordered to embark. He has likewise expressed his desire that the whole of the persons originally named by Commodore Bligh should likewise accompany him. Johnston to proceed to England.

I should not fail to express to your Lordship the particular obligations I am under to Lieut. Kent for the alacrity which he on all occasions exercised [in] the command of His Majesty's ship Porpoise, while it rested with him, for the service of the territory; and I have in a proportionate degree to lament that he is now Lieutenant Kent.

- 1800 under close arrest in the vessel he thus so beneficially to the colony  
 12 March. commanded, having been placed in that situation by Commodore Bligh the moment she returned from Port Dalrymple with myself on board, where he had taken her by the request of Lieut.-Governor Foveaux at the particular instance of myself, which act, I learn, is stated to be his crime; but the laudable motives that actuated him will, I am led to hope, and rest persuaded, have their due weight.
- A tranquil and prosperous colony. I have here much pleasure in relating that at no period have I known the colony more tranquil, or the people more disposed to exertion in the different departments of their pursuits—indeed a general spirit of emulation seems to have prevailed among the settlers and people of middling property in increasing their quality of stock, buildings, and possessions of different descriptions, conceiving that the fruits of their exertions will be securely preserved to them.
- Malcontenta. In all parts of the world there are some men who are uneasy under any control. It cannot be hoped that New South Wales should be entirely exempt from so general a distribution of characters, and a few, altho' very few, of this description of desperate circumstances, who were amongst the most clamorous in their wishes to be released from the government of Commodore Bligh, have since his suspension still evinced their desire for change on meeting the slightest opposition to their wishes—threatening memorials, petitions, &c., &c., to your Lordship.
- Johnston's economy. The very rigid adherence to economy observed by Lieut.-Colonel Johnston in the period of his command has assisted the discontented in reasons to conceive themselves aggrieved by his government; but I should do this officer the highest injustice if I did not acquaint your Lordship that I have convinced myself he has alone studied to promote the welfare of the territory.
- Witnesses. I have stated to your Lordship, Lieut.-Col'l Johnston has desired that the whole of the persons originally named by Commodore Bligh should now accompany himself, from having been declined by that officer; but I have not felt authorised, from the state of the colony, and the expenses that must have followed, to compel the departure of any more than the gentleman previously specified.
- Paterson eulogises Foveaux. Lieut.-Col'l Johnston will have the honor of delivering your Lordship my despatches. I had expected Lieut.-Col'l Foveaux to be the bearer of them, who, however, now waits for the *Æolus*, he having requested permission to proceed to Europe, which, from the considerations related by himself in his application, I have judged would be beneficial to His Majesty's service. I have before expressed my sense of the discretion of this gentleman in the very trying situation in which he found himself on landing; and in the internal department of the colony so much more labor has been accomplished for the most beneficial purposes than I could possibly

have expected, that I consider essential service has been rendered by him during the interim of his own and my arrival at the headquarters. 1809  
12 March.

I now solicit permission to assure your Lordship that, in the many years I have had the honor of endeavouring to faithfully discharge the duties that have been incumbent on me as a servant of the Crown, no instance has occurred which has caused me so much anxiety as the necessity I have described, and which has been alone palliated by the conviction I have felt that even could the presence of Commodore Bligh have any longer been permitted in the colony with safety to its interests, yet the suspension of his authority from such causes as have actuated Lieut.-Col. Johnston to annul it, and the intelligence conveyed to your Lordship, by which you must have long expected his arrival in England, renders it absolutely necessary that he should proceed to Europe, to appear before those, as I stated to him in my dispatch from Port Dalrymple, who alone can now decide on the steps that have been pursued.

Paterson's  
embarrass-  
ment.

In the very embarrassing circumstances at this moment attending the command of the colony, if in any measure I have or may pursue I shall be judged to have erred, I entreat your Lordship will be assured that it arises from the perplexity of my situation, and not from a deficiency of the sincerest wish and most earnest desire to so conform my conduct that I may ensure the approbation of my gracious Sovereign.

I have, &c.,

W. PATERSON.

LIEUTENANT-COLONEL MACQUARIE TO QUARTER-MASTER-  
GENERAL R. BROWNRIGG.

Sir, 49, Albemarle-street, 13th March, 1809. 13 March.

Having lately gone down to Portsmouth for the purpose of looking at the accomodation for the officers and soldiers of the 73rd Regt. on board the Hindostan, man-of-war, and Dromedary, naval storeship, which two ships have been appointed to convey the corps to New South Wales, I was extremely sorry to find that fixed bed places, or cradles, in two tiers, had been put up in both those ships for the accomodation of the soldiers, which, considering the great length of the voyage, in an extreme hot climate, will, I greatly fear, prove very prejudicial to the health of the men, as it will be impossible to keep these births or cradles so clean and well aired as will be necessary in such hot weather as we shall have during the greater part of the long voyage to New South Wales.

Fitting  
troop-ships  
for the 73rd.

I should therefore humbly conceive it would prove highly beneficial to the health and cleanliness of the soldiers to substitute hammocks, with suitable bedding for them, instead of the fixed cradles, and I consequently deem it my duty to request you will be pleased to submit the same to the consideration of His Royal

Hammocks  
preferable to  
bunks.

1809 Highness the Commander-in-Chief, in view to obtaining an order  
 13 March. (in case he approves thereof) from the Admiralty and Navy Board to take down the fixed sleeping births on board those two ships and direct hammocks with the bedding to be substituted in their room.

Soldiers' wives and children.

An order will also be required from the Admiralty and Navy Board for the reception of the women and children of 73rd Regiment on board the Hindostan and Dromedary, no such order having yet reached the commanders of those ships.\*

I have, &c.

L. MACQUARIE,

\_\_\_\_\_  
 Lt.-Col., 73rd Regt.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 13th March, 1809.

Spirits. THERE being about one thousand gallons of French brandy in the bonded stores belonging to Messrs. Campbell and Co., the Lieutenant-Governor has given permission for the quantity being disposed of at twenty shillings per gallon, duties included, in the following manner:—To the officers, 600 gallons; to the licensed victuallers, 400 gallons.

N.B.—Storekeepers will be permitted five gallons each from the first-mentioned 600 gallons; superintendents and the serjeants of the New South Wales Corps will also receive from the same proportion three gallons each.

#### COLONEL PATERSON TO VISCOUNT CASTLEREAGH.

My Lord, Head-quarters, Sydney, 13th March, 1809.

Bligh's unexpected departure.

Although I have little hopes of my present meeting your Lordship, yet I risk it to embrace the smallest chance of communicating to you that the extraordinary behaviour of Commodore Bligh has rendered it absolutely necessary for the welfare of the territory to exact a pledge that he immediately should proceed to England; but so ambiguous has been his conduct since he has embarked on board His Majesty's ship Porpoise on the 20th ultimo, that I cannot with certainty calculate on the dispatches I had prepared being actually delivered into the hands of any officer on board from his having unexpectedly sailed without notice.

I, therefore, delay them to be committed to the charge of Lieutenant-Colonel Johnston, who will sail in the Admiral Gambier on Wednesday, duplicates of which I will also transmit by the *Æolus* transport, expected to leave the harbour in the ensuing week.

I have, &c.,

W. PATERSON.

\* This letter was forwarded to the Navy Board with a recommendation that Macquarie's suggestions be carried out. This is the first official letter under Macquarie's hand relative to the colony of which we have any knowledge.

# ALLOWANCES TO MILITARY OFFICERS.

77

LIEUTENANT-COLONEL GORDON TO UNDER-SECRETARY COOKE. 1809  
 Sir, Horse Guards, 16th March, 1809. 16 March.

In reference to the Commander-in-Chief's letter\* to Lord Castlereagh of the 19th of February last respecting the expediency of granting allowances to the officers stationed at New South Wales similar to those issued at His Majesty's other possessions to the eastward of the Cape of Good Hope, I have His Royal Highness' commands to transmit herewith, for His Lordship's further information, an extract of a letter from Lieut.-Col. Macquarie, of the 73rd Regiment, upon the same subject; and I am directed to desire that you will be pleased to submit the same to the favourable consideration of Lord Castlereagh.

I have, &c.,  
 J. W. GORDON.

[Enclosure.]

EXTRACT of a Letter from Lieutenant-Colonel Macquarie to Lieutenant-Colonel Gordon, dated 49 Albemarle-street, 13th March, 1809.

I TRUST it will not be deemed presuming too much in me to express my confident hope that the wants of the officers of the 73rd Regiment, in that remote and expensive settlement they are now about going to, will be taken into consideration, and that they will be placed on as respectable a footing, in point of allowances, as those of all His Majesty's other regiments serving to the eastward of the Cape of Good Hope. That no such allowances were enjoyed by the corps raised for the service of that colony will not, I trust, be urged as an argument against granting them to the 73rd Regiment in the present instance, as it is well known that, from the inadequacy of the pay to support them, all the officers of the New South Wales Corps were compelled to become traders and farmers, which cannot be tolerated in a regiment of the line without the most pernicious consequences to its discipline, subordination, and respectability.

I have, therefore, to request you will be kindly pleased to state the foregoing circumstances to His Royal Highness the Com'r-in-Chief, and submit them for his indulgent and favorable notice and consideration.

COLONEL PATERSON TO LIEUTENANT-COLONEL JOHNSTON.  
 (Colonial Secretary's Papers.)

Sir, Head-quarters, Sydney, 17th March, 1809. 17 March.

In reply to your letter that I should order Mr. Atkins, the Judge-Advocate, to accompany you to England, I beg to inform you that I cannot comply with your request.

I have herewith enclosed you an acknowledgment of the papers, &c., I have judged necessary to detain of those taken by the

\* This letter is not available.

1839 committee from the late Governor, they being necessary to the  
 17 March. administration of the Government of the colony, the remainder in  
 your possession (as specified in the list that has been presented me),  
 with this officer's commission and arms, I consider should be now  
 delivered by you to His Majesty's Ministers, Commodore Bligh  
 having sailed without answering my letter informing him they  
 were ready for his reception. I have, &c.,

W. PATERSON.

#### HAWKESBURY SETTLERS' ADDRESS TO GOVERNOR BLIGH.

Sir,

Hawkesbury, 17th March, 1809.

Settlers'  
praise of  
Bligh.

Bligh's good  
intentions.

The law  
defied.

Prevalence  
of abuses.

Bligh's  
advent.

We, the undersigned (who came free into the colony), im-  
 pressed with the most lively sense of gratitude, most respectfully  
 acknowledge the blessings we experienced under your firm, upright,  
 and impartial administration. Had your power been equal to your  
 wishes, we have no doubt but you would have put a stop to that  
 system of monopoly, extortion, and oppression long and severely  
 felt by us and our families, almost to the privation of every com-  
 fort. You would have purified the streams of justice, and re-  
 established discipline, the want of which had left us without  
 protection. You would have let the laws take their course without  
 regard to persons, and made the guilty tremble when punishment  
 was sure to follow detection. You would have protected our  
 persons and property by known laws, and encouraged agriculture,  
 which would have rendered us and our families comfortable. We  
 might then have slept in our beds without the fear of our houses  
 being assailed, our wives and daughters violated, and our property  
 plundered by bands of lawless ruffians wandering about with im-  
 puny for months at a time, protected by a pass granted by a  
 convict overseer. This, sir, is strong language; but the records  
 of the Courts of Justice prove these enormous crimes to exist with  
 impunity, and the want of discipline by escaping detection. The  
 number of convicts for life living in luxury and idleness—living  
 without any visible means of support—damps industry. This  
 serves to shew the state we were in at the time of your arrival.  
 Everything was gone too far for any one man to correct. Either  
 integrity or ability could not prevail to correct the abuses, which  
 were reduced to a system. Every department was equally corrupt,  
 from the highest in office, or very nearly so, to the lowest con-  
 stable. It was considered meritorious to deceive, and criminal to  
 give you or any other Governor information. Few would dare to  
 do it for fear of bringing persecution and ruin on themselves and  
 families, and perjury was nearly reduced to a system. Our confined  
 circumstances and degraded situations had broken our spirits and  
 left us without hope before your arrival. We no sooner began to  
 feel the benefits of your administration and see your benevolent  
 plans than our spirits began to revive, and our hopes to brighten,

that by industry we would be able to support our families in comfort, improve our farms, and leave our children with a prospect of supporting themselves by a similar conduct. 1800  
17 March.

We had no sooner began to feel the benefit of your measures, and see the reform they were led to produce, than we were alarmed at your being arrested; and we solemnly protest against that act and declare we had no foreknowledge, act, or part in the said rebellion; and some of us who did sign an address\* to Major Johnston after the act was committed on the 26th January, 1808, was under the impression of fear and terror, the colony being then under martial-law, with bands of men going round with said addresses, using various threats (among which to take our indented servants from us), and that our property should not be worth sixpence in the colony. Further, to intimidate the inhabitants, bands of soldiers and other of the most abandoned and worthless characters assembled, heated with wine and spirits, made bonfires, and burnt your Excellency and others in effigy who were suspected of mistaken loyalty. During this tumult and outrage we were apprehensive that a scene of proscription and bloodshed would commence, when twelve freeholders apply by two letters of requisition, six freeholders to each, to take the sense of the freeholders, under the sanction of three magistrates, on the alarming state of the colony. That was refused by Major Johnston, and the most rigorous measures resorted to by him.†

After which a few loyal inhabitants drew up an address‡ to Colonel Paterson, praying him to come down and reinstate you in your government and authority, and place us again under the protection of the King and known laws; on which Richard Fitzgerald, high constable, offered a free pardon and a passage to England to any convict for life who would give such information as would convict any free settler of having such address in his possession. An address to Paterson.

A number of free settlers refusing to attend muster, not considering it legal without being called by your Excellency's authority, five of them were sent to gaol for one month,§ and their indented servants taken from them. This transaction took place at the time their wheat was shaking in the field for want of reapers. These serve to show the danger we are in if they can even have a pretext for coercive measures. The above statement of facts will plead Settlers imprisoned.

\* See the address of 30th January, 1800, printed on page 458 of vol. vi.

† We have no official information concerning the nature of this alleged attempt to obtain the opinion of the freeholders. No previous allusion to this or any similar movement is to be found in the Records.

‡ This address was dated 15th April, 1803. It will be found on page 506 of vol. vi.

§ In the case of one settler—George Suttor—he was sentenced to six months' imprisonment and fined 1s. Suttor not only refused to recognise Foveaux's right to demand his attendance at the general muster; he also challenged the competency of the Criminal Court which was summoned to try him for contempt of Foveaux's alleged authority. See vol. vi of these Records, p. 802 (note).

1809 for us that we could not do more towards reinstating you in your  
 17 March. authority and government, but might have increased your personal  
 danger, which we considered imminent.

Loyal  
 Subjects.

We most earnestly pray that your Excellency will represent to His most gracious Sovereign, through the means of the Right Hon'ble Viscount Castlereagh, that His Majesty has as loyal subjects in New South Wales as in any part of the British dominions, who wish to impress the same sentiments of loyalty in the minds of their children. Permit us to pray you will present the enclosed memorial to His Majesty's Principal Secretary of State for the Colonies, and that you will support the same as an act of justice, humanity, and necessity, on behalf of a number of oppressed British subjects, that they may have speedy protection and relief. Sir, whatever may be the event of this rebellion, now you are forced from us, our best wishes will accompany you; and that you may soon return, armed with power to enforce your authority, is the sincere prayer of—

Yours, &c.,

JAMES DAVISON.

CALEB WILSON.

JAMES MEIN.

JOHN JOHNSTON.

AND'W JOHNSTON.

JOHN HOWE.

CHARLES GRIFFITHS.

JOHN TURNBULL, Sen'r.

RALPH TUNNBULL, Jun'r.

JOHN BOWMAN.

W'M BOWMAN.

DAVID LANGLEY.

RICH'D ROUSE.

THOMAS ARNDELL.

ROBERT MARTIN.

COLONEL PATERSON TO VISCOUNT STRANGFORD.\*

(Colonial Secretary's Papers.)

Head-quarters, Sydney, New South Wales,

18 March.

My Lord,

18th March, 1809.

Johnston  
 ordered  
 Home.

I have the honor to acquaint your Excellency that I have deemed it expedient to order Lieutenant-Colonel Johnston, of the New South Wales Corps, to proceed to England for the purpose of explaining to His Majesty's Ministers the circumstances attending the arrest and suspension of Commodore Bligh, late Governor of this colony.

Passages to  
 England.

As it was not in my power to provide a passage for Lieutenant-Colonel Johnston, and those gentlemen who accompany him as witnesses, in any other vessel than the Admiral Gambier, which is bound no further than Rio de Janeiro, I have to request your Excellency will be pleased to render them any assistance they may find it necessary to apply for in obtaining a conveyance from thence to England, as I conceive their speedy arrival there—in

\* British Ambassador at Rio de Janeiro. Similar letters were also sent to the Consul-General and to the Admiral in charge of the Squadron at Rio.

# PATERSON'S PROCLAMATION AGAINST BLIGH.

81

consequence of the departure from hence of Commodore Bligh—to be an object of much importance to the interests of His Majesty's Government in this colony. I have, &c.,

1809

18 March.

W. PATERSON.

## PATERSON'S PROCLAMATION AGAINST BLIGH.

William Paterson. 19th March, 1809.

19 March.

WHEREAS an agreement was concluded between me and William Bligh, Esquire, late Governor of this territory, of which the following is a true copy, viz :—

[Here the Proclamation quotes at length the paper dated 4th February, ante p. 17.]

And whereas the said William Bligh, Esq., in direct violation of his word of honor as an officer and a gentleman solemnly pledged therein, has not departed from this colony at the stipulated time ;\* and, in further breach thereof, has caused to be distributed (by the hands of certain wicked and evil-disposed persons implicated in the high crimes and misdemeanours with which he stands charged) certain libelous and inflammatory papers, intended to traduce the Government of this colony, to disturb the general tranquillity, to subvert good order and justice, and to destroy the security of public and private property and personal liberty.

Bligh's  
breach of  
agreement.

Being determined to exert the full powers with which I am vested to prevent the dreadful consequences meant to result from the doings of the said William Bligh, Esq., and his accomplices, I do hereby positively charge and command all His Majesty's subjects within this territory not to hold, countenance, or be privy to any communication or correspondence, by personal interview, letter, message, signal, or otherwise, with the said William Bligh, Esq., or with any person belonging to his family, establishment, or retinue, at present embarked on board His Majesty's ship Porpoise, or with any person known to be in his or their employment, service, confidence, or testimony now on board said vessel. And all officers, civil and military, and all other His Majesty's faithful subjects within the territory, are hereby required and commanded to aid, assist, and promote, by all the means in their power, a strict obedience to this proclamation, and to give immediate information to me, or to some other of His Majesty's officers, civil or military, of any person or persons who shall attempt to act in defiance, opposition, neglect, or evasion thereof, in order that such offender or offenders may be dealt with as abettors of sedition and enemies to the peace and prosperity of the colony.

Paterson  
prohibits  
any com-  
munication  
to be held  
with Bligh.

Given at Head-quarters, at Sydney, New South Wales, this 19th day of March, 1809.

God save the King ! W. PATERSON.

\* That is, as soon after the 20th February as wind and weather would permit

1809 JAMES FINUCANE TO N. BAYLY. (Colonial Secretary's Papers.)

21 March.

Sir, Sydney, 21st March, 1809.

Reappear-  
ance of  
Bligh's  
vessel.

A signal having been made from the South Head for the reappearance of the Porpoise, I am directed by the Lieutenant-Governor to desire that the Perseverance shall not be permitted to leave the harbour (notwithstanding her having received her clearance), that vessel being the property of Messrs. Campbell & Co., one of whose partners was this day convicted before a Criminal Court of Jurisdiction of endeavouring to disturb the peace of the colony by distributing an inflammatory and seditious libel in the name of William Bligh, Esq., now on board the Porpoise.

I have, &c.,

JAMES FINUCANE,  
Secretary.

COMMISSARY PALMER TO COLONEL PATERSON.

(Colonial Secretary's Papers.)

Sir, Sydney Gaol, 21st March, 1809.

Palmer's  
books.

In reply to your order of the 18th inst., which I have just now received from D. D. Mann, stating that Lieutenant-Colonel Johnston has represented that there is an absolute necessity of his having copies of several entries from my public ledger during the time I was Commissary,—I beg to observe to your Honor that I conceive L't-Col'l Johnston can have no right whatever to have extracts from my books, nor am I at liberty to allow of any person having access to them until authorised by the Lords Commissioners of His Majesty's Treasury so to do.

I therefore must decline complying with your said order.

I have, &c.,

JNO. PALMER.

COLONEL PATERSON TO VISCOUNT CASTLEREAGH.

23 March.

My Lord, Sydney, New South Wales, 23rd March, 1809.

Shipping.

I have the honor of apprizing your Lordship of the arrival of the Duke of Portland and *Æolus*, transports, in this port on the 25th and 26th of January, bringing female prisoners, stores, and meat.

Food  
supplies.

The salt pork and beef brought by those vessels, added to that previously on hand, leaves in the colony and dependencies twelve months' full ration from the 1st instant, exclusive of all supplies of fresh meat.

The crops.

The quantity of dry provisions in the colony, I regret to say, however, is not so large, the expectations formed previous to the harvest not having been realized from very unfavourable weather attending getting in the crops, which also has so much injured the late maize that no reliance can be placed on the supply otherwise to have been found in this grain. Our scarcity of wheat may be,

however, attributed to another very prominent cause, vizt., the want of prisoners, from which there are no means of complying with the demands of every settler in the colony for permission to take men off the store to assist them in the labour of their farms, and thus, from this reason, very little new ground is cultivated, by which the old lands so repeatedly cropped have annually a less produce.

1809

23 March.

The labour market.

I must, however, observe the exertions of the whole colony are not now, as formerly, solely directed to agriculture. It has followed, as a consequence to have been expected, that as individuals, by their perseverance, become possessed of property their desires for the comforts and even luxuries of life have given rise to another class, and we have now adventurers in shipping, traders, shopkeepers, and mechanics of every description, who are, in part, as necessary to the colony as the agriculturalists themselves, each producing a source of exertion to the other.

The birth of commerce and trade.

Many most respectable characters have now also settled themselves with their families in the colony, forming a very material feature in its establishment. Our deficiency of grain, therefore, in a great measure arises from the exertions and enterprize of the inhabitants being too rapid for the resources of strength in the colony and not that idleness which might have, without impropriety, been expected to prevail among many in a settlement of such extraordinary basis; but in no part of the world have there been, under all the existing circumstances, more accomplished by the labour of man than in New South Wales in the given period of its progress.

Enterprising colonists.

But this advancement has been the very means of temporarily contributing to the difficulties of those employed in tillage, by dividing the number of labourers and advancing the rate of their hire.

Increased wages.

I should also add that the evacuation of Norfolk Island has contributed in a great proportion to the inadequacy of our supply to our wants, as those people who, previous to their removal, by their exertions, fed themselves, are this season dependent on the produce of other growers at the settlement at the River Derwent, where they have principally gone. There are now at that colony upwards of one thousand souls, and I am persuaded the grain grown in it will be little more than equal to the seed they will require for the ensuing season.

The evacuation of Norfolk Island.

It may, however, be supposed that this evil will be but temporary; yet, fearing, from every enquiry I have been able to make, that the quantity of grain in the colony will not last its inhabitants, even with the utmost economy, to the ensuing harvest, I have, on the most serious consideration, judged it advisable to offer Mr. E. Harrison, master of the Admiral Gambier, a sum for 150 tons of rice that would be something less than equal to 10s. per bushel,

Paucity of grain.

Importing rice from Rio.

1809  
23 March.

the price given for wheat—vizt, £25 per ton—being as low a valuation as, I am aware, could have induced any person with hopes of the least advantage to themselves to undertake the contract within the time to which I have felt obliged to limit its period—vizt, 7 months and 4 days from the 1st of March—against which time I have bound the contractor in a penalty of £5,000 if failing, from neglect, to import the quantity stipulated; and should it arrive after this period, and before the expiration of the year, I have bound him to supply the same at the low rate of £16 per ton, which, as 44 pounds of rice is issued in lieu of 56 pounds of wheat, will make the price of the latter only about 6s. 6d. per bushel.

Part  
payment in  
timber.

The amount of the whole supply will be, if it arrives within the first-mentioned period, be only £3,750; and I have the pleasure to inform your Lordship that I have stipulated to pay £1,500 of the sum in timber cut within the colony, which quantity has been already actually shipped, and the master has further engaged to offer a passage free of any expence as far as Rio de Janeiro, where he proceeds for the provision, to Lieutenant-Colonel Johnston and the whole of the persons he may consider necessary to accompany him to England.

Reserve  
stores of  
grain.

Should it arise when the stacks are threshed, from their being more grain than is expected, that our internal supply will leave some part of this importation in the stores, I shall think it the more fortunate, as from many years' experience I am persuaded the interests of Government require that at least six months reserve should always be on hand for the whole territory and its dependencies to provide against the casualties ever attendant on agriculture, and particularly in this country, distant as it is from foreign assistance.

Spirits.

I have had so many representations made to me of the very great distress known by the mass of settlers and householders from having for many months been unable to procure the smallest quantity of spirits for their domestic uses without paying the most incredible prices, that I have informed the master of the above vessel, if he can bring 10,000 gallons, I will permit him to dispose of it in proportionate shares throughout the settlement, provided the sum charged for the same does not exceed to the consumer 11s. 6d. per gallon, duties included, which, I assure your Lordship, is essentially necessary to the inhabitants at large. Since my arrival, I have permitted the gentlemen to purchase 13 gallons, and the licensed victuallers, who pay for their privilege, about half that quantity each, and I regret to have been unable to appropriate a part for general distribution; but the very small quantity in the colony would render the portion that could be allotted among the numbers deserving it so small as not to counterbalance the time they would lose in applying for and receiving it.

Gentlemen  
and licensed  
victuallers.

Exclusive of the quantity of salt meat we have now in the territory, I have the pleasure to add that the perseverance of the graziers, and the laudable ambition diffused throughout the colony from the most respectable inhabitant to the smallest settler, of possessing and following up the improvement of stock, affords every hope that the colony may very soon, if proper measures are taken, be independent of animal food, and I must add I see the most material benefit will arise from taking such fresh meat as is tendered into the stores at an equitable price proportionate to the expenses attending the importation of salt meat, which, at the same time that it will in a proportionate degree commence to gradually decrease the necessity of transporting wet provisions from England, will encourage the settlers to pursue their exertions in feeding beef and mutton, which must always here prove a more certain source of supply than swine's flesh. I respectfully take the liberty of suggesting that it will be of much moment to the internal advancement of the colony in many points of view, if your Lordship should intimate your approbation of the measure.

1800

23 March.

Salt meat.  
Encouraging pastoralists.

I should here represent to your Lordship that the state of the Government herds at Port Dalrymple have so increased and improved that a draft of 300 head can be sent from that settlement to Lieutenant-Governor Collins on the River Derwent in the same island, as it appears to me that the quantity of stock at Port Dalrymple will prove sufficient for the want of both the colonies; and having learnt that Messrs. Campbell & Co. of this place have had proposals made them for the importation of a large number of Bengal cattle by Lieutenant-Governor Collins, I have felt it my duty to express my disapprobation of the measure to this house, of which I shall also apprise Colonel Collins.\*

Cattle for the Derwent.

I must, however, in justice to Lieutenant-Governor Collins' add, the neglect of Governor Bligh in not apprizing this officer or myself of your Lordship's wishes that the stock in the settlement over which I have presided should be divided with that at the Derwent, has been, I cannot doubt, the occasion of the measure he has adopted; but from my own conviction of the necessity and propriety of the arrangement, and it having been ascertained that stock can with facility pass over the island, I had, previous to my leaving Port Dalrymple, determined to put it into execution.

Collins's action defended.

\* \* \* \* \*

I beg to assure your Lordship that I shall sedulously endeavour to prevent the expenditure of a single shilling that can be avoided. Should the rice for which I have contracted with the master of the Admiral Gambier arrive, it will much lessen the sum that must be drawn for; for, added to the £1,500 which I have paid towards it

Paterson will economise.

\* See Paterson's letter to Campbell & Co., 8th March, 1800, ante, p. 62. At the time when Paterson wrote the above despatch the cattle imported by Campbell & Co. (252 head in number) had been landed at Hobart.

1809 in timber, the remainder will amount, even at the present Govern-  
 23 March. ment price of wheat, to a less sum than an equivalent quantity  
 The price of could be purchased at; but when I represent to your Lordship  
 wheat. that I am paying at this moment 15s. per bushel for such as I  
 consume in my own family, and that the supply we have had  
 hitherto in the store has for the most part been tendered to enable  
 the holders to purchase goods from the investment sent for barter,  
 you will see I have great reason to apprehend that much difficulty  
 will be experienced in procuring the quantity required for the  
 victualling the different establishments at the sum now given.

Ration  
 reduced.

In anticipation of the scarcity that will arise, I directed the  
 ration issued to the troops and those victualled by the Crown to  
 be reduced 2½ lb. wheat, being rather more than one-sixth, on the  
 4th ult., and I shall consider myself fortunate to escape the neces-  
 sity of making further reduction.

I have, &c.,

W. PATERSON.

GOVERNMENT AND GENERAL ORDER.

Pilot Reiby.

Head-quarters, Sydney, 23rd March, 1809.

THE Lieutenant-Governor has been pleased to appoint Mr. Thos.  
 Reiby to be a pilot in this harbour, &c.

REV. H. FULTON TO VISCOUNT CASTLEREAGH.

[Extracts.]

Fulton's  
 previous  
 letter.

My Lord, Sydney, New South Wales, 23rd March, 1809.

Paterson's  
 treatment of  
 Bligh.

By my last\* I detailed to your Lordship some of the principal  
 circumstances which were previous to and subsequent to the rebel-  
 lion of the 26th Jan'y, 1808, unto the arrival of Lt.-Colonel Foveaux,  
 who assumed the reins of Government, and refused to obey or take  
 the part of Governor Bligh, whom he found in confinement in  
 Government House. After much insult and disrespectful treat-  
 ment to the Governor, Lt.-Governor Paterson arrived about the  
 end of December and superseded Foveaux in the command of the  
 colony; but he treated him with still more rigor, desired him to  
 give an order to Captain Porteus to co-operate with the rebels,  
 and threatened, if he refused, to put him in close confinement in  
 a subaltern's barrack until he sent him out of the country. The  
 message carried to Governor Bligh from the Lieut'nt-Governor by  
 Major Abbott and Lieut'nt-Colonel Johnston was as follows:—

[The message will be found printed on page 12, ante.]

Mrs.  
 Putland.

As the Governor refused to comply with this, they took him in  
 a one-horse shaise, which they had prepared for that purpose, and  
 carried him to the barrack, during which Mrs. Putland, his  
 daughter (an example of filial affection), ran after the carriage, at  
 a time of intense heat, under the rays of a vertical sun, and accom-  
 panied him into his prison, panting and almost fainting, though

\* Ante, p 27.

she could not obtain admission but by promising that she would submit to the same confinement which they had imposed on her father. They even added the additional hardship of denying her, during two days, the indulgence of her maid servant. Here they kept His Excellency for several days, sometimes threatening to send him away in the *Estramina*, a small Colonial craft, and sometimes to carry him away privately (so that he might not be taken from them by the *Porpoise*), to put him into some ship that would carry him a prisoner to England. At length they offered him the *Porpoise*, provided that he promised to go directly to England. He thought it a good thing to get possession of his ship and get out of prison, at the same time supposing that the good of His Majesty's service was not to be sacrificed by keeping faith with rebels. He embarked, together with his family, on the 20th day of February, and having supplied the ship with necessaries for six or eight months, sailed on the 17th day of March, 1809, leaving behind him the following proclamation,\* and telling his friends that he would not go far from the harbour until he heard from His Majesty's Ministers and received instructions and forces to assist him.

1809

23 March.

Bligh in  
close confinement.On board  
the  
*Porpoise*.

\* \* \* \* \*

Some copies of this proclamation were given to John Palmer, Esq'r, Commissary, folded as letters are, and directed each to the master of some ship in the harbour. Mr. Palmer, accompanied with a Mr. Charles Hook, one of the co-partners of the house of Campbell & Co., in India, delivered a sealed copy to each of the masters of the ships in the harbour on the evening of the day on which Governor Bligh sailed. On the next day (Saturday) Messrs. Palmer and Hook were summoned before a Bench of Justices, who committed them to gaol to take their trial before a Criminal Court for a libel. They were tried on Tuesday following. They both denied the competency of the Court until His Majesty's pleasure was known concerning the unprecedented transaction of the 26th Jan'y, 1808, and also on the ground of the proclamation which Mr. Palmer dispersed, and for which they were there called to account. The Judge-Advocate then told them that when people refused to plead before a competent Court they were considered as guilty, and would have sentence passed accordingly. Of this they said they were aware, but their oaths of allegiance prevented them from acknowledging the legality of that Court. The Judge-Advocate then passed sentence of three months' imprisonment on Mr. Palmer, and one month's imprisonment on Mr. Hook, and £50 fine for each. Now they are in prison, kept in a kind of solitary confinement, no friend being admitted to visit them. Messrs. McArthur, Johnston, Jamison, Harris, and Davidson are ordered Home in the Admiral Gambier by Colonel Paterson, and

Proclamation  
distributed by  
Palmer and  
Hook.Fined and  
imprisoned.Officers  
ordered  
Home.

\* The proclamation will be found printed on page 66, ante.

1800 Harrison, the master, seems disposed to take them, notwithstanding the proclamation ; but he and they seem greatly alarmed lest Governor Bligh, in the Porpoise, should intercept them, so that they are blocked up by him at present. They have, in consequence of the Governor's, published the following proclamation.\*

Invalid persons.

\* \* \* \* \*

They act with the greatest confidence, giving pardons to convicts as if they were sure all their proceedings would be approved of, and their success is amazing in misleading and persuading strangers who arrive in the colony of the propriety of their measures. They hesitate not in relating any falsehood of the Governor and his friends. The Lieutenant-Governor has given a pardon to—— and he is about to embark in the Gambier for England. He was an officer in India, and transported for life to this colony for blinding, by a shot, a captain sitting at the mess. If his pardon is not valid, perhaps his journey to England may be fatal to him.

An intemperate officer.

This, my Lord, I give only as a specimen of their success in misleading people. Lieutenant-Governor Paterson is in a very bad state of health—almost a paralytic—from former intemperance ; and now I am informed from good authority that he is drunk the greatest part of his time ; so that, from imbecillity when sober and stupidity when drunk, he is a very convenient tool in the hands of McArthur, or of Foveaux and Abbott, who see that his plans are executed while he keeps himself in the background to remove the offence which his actual interference would give many in the colony, who are seduced to co-operate with the rebels while they are persuaded that McArthur has nothing to do with public business.

The object of detaining Bligh.

It now appears that McArthur's intention at first was to detain the Governor until near the time in which he (the Governor) might expect succour from England, and by sending him then away, and the principal rebels sailing for England about the same time, he thought they would be able to defer the time of punishment for five or six years ; and for the same purpose they refused to permit the Governor's witnesses to accompany him to England at the time of his departure from this port, though they promised to give permission to them to proceed with him in the agreement made with him and Colonel Paterson. The Governor's present situation has perplexed them no little. As many persons came to address the Governor when he embarked, and state their grievances, they intercepted one Doctor Mason, and took his papers from him lest the true state of the colony should reach your Lordship, and the information which would be conveyed by his address. Many loyalists have been incarcerated in dungeons on various pretences—some because they were loath to muster under a rebel standard, some for other similar pretences.

Treatment of Bligh's friends.

I have, &c.,

HENRY FULTON.

\* See the proclamation by Paterson, dated 19th March, 1800, ante, p. 81.

LIEUTENANT-GOVERNOR COLLINS TO GOVERNOR BLIGH.

1809

Dear Sir,

Hobart Town, 25th March, 1809.

25 March.

The departure of the ship Hunter hence for Sydney affords me an opportunity of once more expressing my sincere wishes for your health, and a speedy termination of whatever may be unpleasant in your situation. I learned with pleasure, by the arrival of the Active, brig, a few weeks since, direct from England, that the Brothers and the Dart had arrived safe some time prior to the sailing of the Active; and that three ships might be expected to have reached Port Jackson, by one of which, no doubt, His Majesty's pleasure respecting your suspension has been communicated to the executive Government. I understand Colonel Paterson left Port Dalrymple on the 24th of last December for Sydney; but I have not heard from him since his taking upon him the government, and I now hope that I shall not until the accounts that must be interesting to every one have been received.

A friendly letter from Collins.

The ship by which I send this arrived here on the 15th instant with a cargo of cattle from Bengal, in performance of an engagement which upwards of two years since was entered into between myself and Mr. Robert Campbell for supplying this settlement with 300 head of young breeding cattle. The reasons that led to this engagement I stated to Mr. Campbell at the time, and as I am desirous of obtaining your approbation, sir, of the measure, I will take the liberty of making you acquainted with them.

Cattle from Hobart.

I was informed by your predecessor soon after my fixing here that he was instructed by Lord Hobart to supply the young settlement with a stock of breeding cows; but the total number that was introduced, even to the present time, did not amount to 150; whereas, shortly after Port Dalrymple was settled, between seven and eight hundred head of cattle were landed there from India. No hopes being afterwards given me of receiving a further or larger supply, I conceived it would be of advantage to the settlement to embrace a proposal offered by Mr Campbell of furnishing me with 300 head of cattle, whose age should not exceed four nor be under two years. These, or at least a part (245), have now arrived, and it will afford me much satisfaction if, in your report to His Majesty's Ministers, you would do me the honor of giving your sanction to the proceeding.

Collins's reasons for importing cattle.

The cattle I have received are young and in health. I have therefore great hopes they will prove an acquisition to the settlement, particularly as they will afford me the means of discharging many of the claims which the Norfolk settlers have upon Government.

A valuable acquisition.

Should you not have heard from England since the arrival of the Speke, the death of Gov'r King is yet unknown to you, which happened a short time before the Active sailed (the 2nd of October

Death of Governor King.

1809  
25 March.  
European  
news.

last).\* At that time the British nation was held up as the arbitress of Europe, and there is no doubt but whenever she makes peace she will dictate her own terms. The principal powers of the Continent, roused by the fate of the Spanish monarchy and the captivity of the Royal family, are once more forming another, and it is to be hoped the last, coalition, which will put a stop to the Corsican's rapacity. Our next accounts from England will be extremely interesting, and if not arrived already at Port Jackson, I trust they soon will.

With my respectful compliments to Mrs. Putland,

Yours, &c.,

DAVID COLLINS.

PROVOST-MARSHAL GORE TO VISCOUNT CASTLEREAGH.

[Extracts.]

Sydney, New South Wales,

25th March, 1809.

My Lord,

Patterson  
relieves  
Foveaux.

On the 1st January, 1809, Colonel Patterson arrived here from Port Dalrymple and superseded Lieutenant Colonel Foveaux in the command of the New South Wales Corps, and also in the usurped administration of the colony. He (Patterson) used not the least effort, and made no attempt to reinstate the Governor, but continued His Excellency under the same restraint to which he had been subjected by his (Patterson's) predecessors, Johnston and Foveaux. Patterson has even treated the Governor with greater rigour than either, and with the most cruel and unexampled indignity; for on the 27th of January, 1809, a message from him (Patterson) was delivered by Abbott to the Governor, purporting that unless His Excellency would give an order for His Majesty's ship Porpoise to proceed to Norfolk Island, additional restraint would be imposed on him (the Governor) until he acquiesced, and, conformable to their threat, His Excellency peremptorily refusing to permit the Porpoise to sail on their proposed destination an increased number of sentries was placed on his person, and all his (the Governor's) friends indiscriminately prevented from seeing him.

Patterson's  
treatment of  
Bligh.

Confined in  
a barrack.

Mrs.  
Putland.

On Monday, the 30th of January, His Excellency was again called on by Abbott and Johnston with the written message† from Patterson, notwithstanding which our unjustly abused and worthy Governor still persisted with unrelaxed courage and fortitude to resist their insidious application. His Excellency was therefore taken by the rebel Johnston in a single horse chaise from Government House, and driven by him (Johnston) to a subaltern's barrack, followed on foot by Mrs. Putland, his amiable daughter, fainting with heat and sinking under the accumulation of such unmerited wrongs and insults wantonly heaped on her beloved and respected parent. Whilst lingering in this miserable prison, she was even,

\* King died on 3rd September, 1808.

† Ante, p. 12.

my Lord, for two days and two nights denied the attendance of her female servant, and no servant whatsoever, except soldiers and soldiers' women, entirely devoted to the rebel cause, were permitted to assist about their persons, or to have access to them. They were likewise debar'd from holding the least communication with their friends and acquaintances. During the continuance of this iniquitous and novel species of solitary confinement, His Excellency was, in the beginning of it, threatened by the rufian Johnston to be sent from the colony a prisoner in the small Colonial vessel the *Estramina*, unless he (the Governor) would give an order for the *Porpoise* to sail agreeable to their wishes, and His Excellency was ultimately compelled to sign an agreement, in conjunction with Patterson, to depart in His Majesty's ship *Porpoise* from the territory in a specific time, or to be embarked by force on board the Admiral Gambier, transport ship, then and now laying at anchor in the Cove, and to be sent a prisoner in her to England. The Governor consequently acceded to the conditions imposed on him, as the only alternative, and the indirect means whereby His Excellency would be enabled to recover the uncontroled command of his ship, and to extricate himself and his daughter from the most unjust and rigid imprisonment.

1809

25 March.

Bligh to be sent Home.

\* \* \* \* \*

As an example that our present lawless rulers hope to impose on the ear of our revered King, and to deceive his Ministers by the grossest misrepresentation and falsehood, I beg leave to state that Governor Bligh has received letters and addresses from the generality of the settlers individually, but secretly, deploring His Excellency's seizure, imprisonment, and deposition, and promising their united assistance to re-establish the government when a probability of success may offer, and also acknowledging the threats and terror employed to exact their signatures to congratulatory addresses to Johnston shortly after the 26th of January, 1808,\* which were framed and drawn out by one Robert Fitz, a Deputy-Commissary, and late a clerk in the office of Downing-street; and a few days since, when the idea of the Governor's proceeding direct to England was prevalent, a surgeon and settler of the name of Mason was waylaid on the King's high road and conducted as a prisoner into Parramatta by men armed with naked cutlasses, one of whom actually twice threatened to cut off his (Mason's) arm for presuming to put his hand into his coat pocket for his handkerchief. On the arrival of this gentleman at Parramatta he was taken before the infamous Kemp, a rebel justice of the peace, and their Commandant of Parramatta, who grossly insulted and examined him on the subject of a letter which he (Mason) had drawn out to your Lordship, complaining of the various

Secret addresses to Bligh.

Robert Fitz.

Arrest of Mason.

\* See the address of 30th January, 1808, vol. vi, p. 458.

1800

26 March.

Mason tried  
at Sydney.

oppressions under which he, in common with all His Majesty's loyal subjects here, are suffering, and imploring redress for the same. From Parramatta he (Mason) was forwarded in custody of the same escort, and like a common malefactor, by Kemp to Sydney, where he was taken before Abbott and Throsby, both rebel justices, who likewise examined him as to his motives for writing the intercepted letter, which Mason candidly acknowledged. Abbott then said, "It contains heavy charges. Will it not be difficult for you to prove them?" to which Mason replied, "The *onus probandi* rests on me, which I shall undertake whenever I shall be called upon by a power legally authorised." The result of this flagitious attempt to prevent injured individuals from submitting their complaints to His Majesty's Ministers has been that Mason's letter has been detained by Abbott, by the order of Patterson, and his complaint has been suppressed for the present. So fraught with artifice are those miscreant traitors, that it is not improbable but they may contrive to turn this very letter of Mason's to their own advantage by representing it as an effusion of a factious, discontented, and disappointed caballer. But be assured, my Lord, that the contrary is the case, as all His Majesty's liege subjects in this country who dare profess their loyalty and attachment to the Government as it has been established by law are persecuted with unrelenting severity.

His letter  
suppressed.

\* \* \* \* \*

Officers  
embark for  
England.

Agreeable to their intentions, Johnston, Jamieson, Harris, Davidson, McArthur, and David Dickenson Mann, embarked this\* day on board the Admiral Gambier, they say for England; but it is added (probably for the purpose of deception) that the Gambier goes no further than Rio de Janeiro, from whence it is rumoured, if they hear discouraging news from England, they will seek refuge in the American States. They were attended to the place of embarkation by the New South Wales Corps, with their colours flying and their drums and band beating and playing, whilst Patterson leaned on the arm of Johnston, and finally took an affectionate farewell of his revolutionary partizans. These, my Lord, were the characters on whose protection and support His Majesty's Governor of New South Wales was to rely. I believe, my Lord, it can be proved that Patterson had an intimate knowledge of, and an active share in, the conspiracy against the Governor a long time before it broke out into open rebellion and declared mutiny.†

\* \* \* \* \*

Writing  
under  
difficulties.

I now entreat your Lordship's forgiveness for the badness of my writing, a great deal of which, I am apprehensive, is scarcely legible, which I [am] inclined to hope your Lordship will pardon

\* Marginal note in original:—"29th March."  
in error.

† In this Gore was unquestionably

and make some allowance for, when I inform you that the major part of it has been written by me in the woods, and that the remaining part, which I have contrived to write in my hovel, was written by me by stealth and piecemeal. As I am now on the point of closing my letter, I shall disclose to your Lordship the secret of the Governor's intentions when he sailed on the 7th\* instant from Port Jackson. His Excellency has assured all the loyal inhabitants and the settlers, in answer to their earnest solicitations, that he was determined not to abandon them until the expected relief arrived to him, or he was finally recalled by His Majesty; and in consequence of this, his determination, His Excellency will (I believe) cruise for a short time in the track of the expected succours, and continue at Colonel Collins's settlement at the Derwent until he is informed of their arrival in Port Jackson.

1800  
25 March.

Bligh waiting for relief.

I have, &c.,

W<sup>m</sup> GORE,

Provost-Marshal of H.M.'s territory of New South Wales.

#### LIEUTENANT-GOVERNOR COLLINS TO COLONEL PATERSON.

Government House, Hobart Town,

Sir,

Van Dieman's Land, 25th March, 1809.

I have the honor to acquaint you that, on the 15th instant, the ship *Hunter* arrived in this port from India with 252 head of cattle on board, which upwards of two years since Mr. Robert Campbell had proposed to furnish this settlement with, and I agreed to receive.

Indian cattle.

I deem it necessary on this occasion to make you acquainted with the reasons that induced me to accept the proposals offered to me by Mr. Robert Campbell. I was informed by the late Governor King, soon after my fixing here, he was instructed by Lord Hobart to supply the settlement under my command with a stock of breeding cattle; and, in pursuance of that instruction, I received by the *Lady Barlow* 130 cows in August, 1804, between which time and the date of Mr. Campbell's letter, 13th March, 1807, no further addition was made except a few that were left by Mr. Bowen on his removal from Risdon Cove, and one or two that were landed from Norfolk Island. No expectation of receiving a further supply having been held out to me, I readily embraced the opportunity offered to me by Mr. Campbell of introducing a young stock of cattle into the settlement, and which, though late in effecting, yet I trust it will prove a valuable acquisition, and as such I hope the measure will meet your approbation.

Collins's reasons for importing them.

Upon their landing, I appointed an officer on the part of the Crown, who with another on that of the house of Campbell's, were

Cattle landed in good condition.

\* Bligh finally sailed on the 15th March.

- 1809** directed to survey them, and reject such as might appear to be aged or likely soon to die, when seven were only deemed unmerchable and refused.
- 25 March.** Much credit is due to Mr. Robson, the master of the Hunter, for the great attention shown by him to the comfort and cleanliness of the cattle, by far the greater part of them appearing rather to have been brought from their grazing ground than from the between decks of a small ship, where they had been enclosed for four months.
- Cost per head.** I engaged to pay twenty-six pounds per head for the cows and five pounds per head for every calf calved on the passage, which has been paid by bills on His Majesty's Treasury.
- Government merchandise.** The investment that was sent hither by the Venus has been appropriated, as far as it would serve, to discharging some of the Norfolk Island settlers claims for grain and stock left behind them at their removal ; but it by no means went to the extent of satisfying their demands, and consequently existed some discontent among them. I should, therefore, hope, if you have the means, that a further supply may be consigned to me by the earliest opportunity.
- Mutinous soldiers.** On board the Hunter are two soldiers, one belonging to the regiment under your command, the other a private in the 22nd Regiment of Foot. From some mutinous expressions uttered by the latter during the passage, to which Mr. Robson had deposed before a magistrate, and on his representation that it would be necessary for the security of his ship, I have caused him to be ironed. The two soldiers, with the son of one of them, have been victualled from the public stores, agreeable to the enclosed account of the Commissary.
- Medicines for the hospital.** I fear the whole of the enclosed list of medicines, &c., required by the surgeon for the use of our hospital cannot be furnished at Sydney. As many of them, however, as can be spared are extremely necessary ; and I have also to mention that, through our great demand for nails for the use of our Norfolk Island settlers, a large supply is wanting, and more particularly to save the expense which we are unavoidably put to in making them.
- Seed wheat.** I have already received applications from the settlers of our district only for 268 bushels of seed wheat, and I imagine that quantity will be required in the whole. I must, therefore, also request a supply of that article.
- Convict labourers.** I have in former communications with the Government at Port Jackson represented the impossibility of carrying on the public service of the colony, unless I could be furnished with an addition to my labouring people. From the few who are now left, but little can be expected, and a small recruit would be of very little benefit. I must in consequence renew my application for a supply of

prisoners to be sent hither to enable me not only to furnish the settlers with servants and to carry on the public works, but to do away the expense of hiring free people. 1809  
25 March.

Lieutenant Lord, of the Royal Marines, being possessed of a large and valuable stock of cattle, has obtained my sanction for the appropriation of 500 acres of land for grazing and agricultural purposes, the particulars of which I enclose herewith, and solicit your confirmation thereof by a grant under your signature and the seal of the territory. Land grant to Lieutenant Lord.

The Commissary transmits a return to Mr. Fitz of the provisions remaining in His Majesty's stores up to this date.

I have, &c.,

DAVID COLLINS.

COLONEL PATERSON TO THE WAR OFFICE.

Sir, Sydney, New South Wales, 25th March, 1809.

In my letter dated 12th March, 1808, I acquainted you, for His Royal Highness the Duke of York's information, my intention of repairing to Port Jackson, the head-quarters of the regiment and the principal seat of Government, where it was my duty to be; but my ill state of health, together with the want of a safe conveyance, and other circumstances which are already known to His Royal Highness, prevented me. However, the arrival of Colonel Foveaux in July last removed those doubts, and having at my request ordered His Majesty's ship Porpoise to convey me hither, she arrived at Port Dalrymple on the 8th November last. As it was necessary I should communicate with Lieut.-Governor Collins at the Derwent before I quitted Port Dalrymple, the ship was delayed longer than I expected, and it was not until the first day of this year that I arrived at this place. Paterson takes charge at Sydney.

It gives me much pleasure and satisfaction to assure you, for His Royal Highness's information, that I found the general good conduct of the Corps, and the high state of discipline of it, to be such as to entitle it to my best commendations, in which I am partly indebted to Brevet-Major Abbott, whose attention has been such as to merit my warmest thanks; yet it is my duty frankly to say that there are a great many very old men in it, and others disabled, who can never be of any use to the service, at least in this extensive colony. On account of the settlements which are constantly forming at great distance from head-quarters, it requires active young men to be sent on duty to them, as there are always a considerable degree of fatigue and difficulty attending new establishments. The New South Wales Corps. Non-effective men.

I also deem it my duty to entreat His Royal Highness will be pleased to cause an augmentation of the troops, either by adding a second battalion to the Corps, or in any other way His Royal An augmentation necessary.

1890 Highness may be pleased to direct, for the Corps is sometimes unable to perform the numerous duties which it is called upon to do.  
 25 March. Small detachments have been frequently sent when larger ones ought, could the Corps have spared the men. The consequence has been very injurious to the service, and owing to that cause a whole guard was once cut off and murdered by some runaway convicts at Port Dalrymple.  
 Inadequate protection.

The detachment at Hobart. I further beg leave to observe that at Lieut.-Governor Collins's settlement, although there are upwards of eleven hundred persons, the detachment there consists only of thirty-three marines; but as I presume the Corps will be called upon to furnish a large detachment for it, I trust, upon the whole of the representations I have had the honor of submitting to His Royal Highness, he will be pleased to concur with me in the expediency of augmenting the troops in New South Wales.

\* \* \* \* \*  
 Johnston ordered Home. I have directed Lieut.-Colonel Johnson to proceed to England in the Admiral Gambier to explain his reasons for arresting Governor Bligh. I have permitted Surgeon Harris, of the Corps, to accompany him, who, with some others, he has judged necessary to call upon.

\* \* \* \* \*  
 Volunteers. As I have the honor to hold the chief command of the colony at present, I esteem it my duty to notice that there are two companies of volunteers, the men of whom are composed of free men, emancipated convicts, and prisoners. They are clothed and victualled at Government expence, and are of little use to us. Should the New South Wales Corps be augmented, the expence of the volunteers could be dispensed with, and their place supplied with efficient and disciplined men.

The military command. The increase of the Corps and distances of their quarters, which greatly extends in this vast territory, induces me respectfully to submit for His Royal Highness the Commander-in-Chief's consideration on the benefit which the service would derive by the appointment of a Brigadier-General. Should His Royal Highness approve of that recommendation, I humbly hope it will not be thought presumption in offering myself a candidate for the appointment, in case His Royal Highness deems my long services deserving so great a mark of His Majesty's favour.

I have, &c.,  
 W. PATERSON.

#### COLONEL PATERSON TO VISCOUNT CASTLEREAGH.

26 March. My Lord, Sydney, New South Wales, 26th March, 1890.  
 Bligh sails in the Porpoise. I have the honor of informing your Lordship that Commodore Bligh sailed from hence in His Majesty's ship Porpoise on the 13th instant; but I lament that many reasons induce me to think he has not done so with the intention of fulfilling his pledge of immediately returning to England.

In my letter of the 12th inst.,\* I enclosed your Lordship a copy of that solemn engagement, in direct violation of which Commodore Bligh, on the day of his departure, sent a copy to the masters of every vessel in the port, proclaiming His Majesty's New South Wales Corps, and several of the principal and most respectable inhabitants, to be in a state of mutiny and rebellion. 1809  
26 March.

In order to deter the ill-disposed from seconding his efforts to disturb the public tranquillity, and to prove to the world that he considers himself bound by no principle of honor or good faith, I have issued a proclamation† which contains the terms upon which I suffer'd him, at his own request, to embark on board the Porpoise. He proclaims the Corps in a state of mutiny.  
Paterson's proclamation.

I have informed your Lordship of my having given Lt.-Governor Foveaux permission to return to England. The exigency of the public service, however, at this moment rendering it particularly desirable that he should remain in the colony, I have requested him to defer his departure until his presence can be more conveniently dispensed with. Foveaux returns to England.

I have, &c.,

W. PATERSON.

EARL MINTO‡ TO LIEUTENANT-COLONEL FOVEAUX.

Sir,

Fort William, 27th March, 1809.

27 March.

I have the honor to acknowledge the receipt of your letter of the 16th August, announcing your assumption of the Government of New South Wales.

2. The grounds of the proceedings of the parties thro' whose means the authority of Captain Bligh has been subverted not having been known to me through any authentic channel, I am unable to express a conclusive opinion on the subject, nor do I consider myself empowered to pronounce on the merits of the question. Possessing, however, no official knowledge of the revocation of Captain Bligh's commission from the Crown as Governor of the colony of New South Wales, I cannot doubt that you will admit the necessity of my declining a recognition of any other authority. Earl Minto refuses to recognise Foveaux.

I have, &c.,

MINTO.

LORD MINTO TO GOVERNOR BLIGH.

Sir,

Fort William, 29th March, 1809.

29 March.

I have had the honor to receive your letter of the 12th August, containing a narrative of the circumstances which have lately occurred in the settlement of New South Wales, and have finally led to the suspension of the legal government of that colony.

2. I cannot withhold the expression of my regret at the unfortunate concurrence of circumstances which have produced the state of affairs described in your Excellency's dispatch. Possessing, however, no authority to enter into the merits of the question, and knowing that your Excellency holds a regular commission Earl Minto on the arrest of Bligh.

\* Ante, p. 67.

† Ante, p. 81.

‡ Governor-General of India.

1809 from the Crown for the government of the colony, it is my duty  
 29 March. to recognise that commission so long as it shall remain unrevoked  
 by the orders of His Majesty. At the same time, in the present  
 situation of the Government of New South Wales, it must be  
 apparent to you that such a recognition cannot be practically  
 applied to the transaction of affairs connected with the interests  
 of the colony.

The authori- 3. Authentic advices have been received from England of the  
 ties in receipt of intelligence of the events at New South Wales by His  
 England. Majesty's Ministers, and it cannot be doubted that measures are  
 already in progress to apply a remedy to the existing disorder.

4. Under these circumstances it will be obvious to your Excel-  
 lency that, without special orders from England, this Government  
 is precluded from the adoption of any arrangements of the nature  
 suggested by your Excellency.

5. I deem it proper to transmit to your Excellency, for your  
 information, a copy of my reply\* to a letter which I have received  
 from Lieutenant-Colonel Foveaux, announcing assumption of the  
 Government of New South Wales. I have, &c.,

MINTO.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 31st March, 1809.

31 March  
 Government Lieutenant-GOVERNOR FOVEAUX having been requested by the  
 merchan- Lieutentant-Governor to regulate the distribution of the invest-  
 dise. ment from England, he is authorised to direct the Acting Com-  
 missary and Storekeeper charged with the issues, to accept of no  
 other mode of payment for them than receipts for grain and animal  
 food, delivered into His Majesty's stores, copper coin, or Pay-  
 master's notes, which must be paid on delivery of the goods.

Accounts to The Acting-Commissary and Storekeeper are, therefore, directed  
 be kept. to keep an exact account of the articles they deliver, and of the  
 payments they receive, which account and payments are to be  
 laid before Lieutenant-Governor Foveaux for his inspection, im-  
 mediately after the issues have taken place.

Distribution The \*distribution\* at \*Sydney\* will be \*made\* to the officers, civil  
 of foods. and military, on Monday next, the 3rd of April; to the inhabi-  
 tants of Sydney and its neighbourhood on Tuesday, the 4th, and  
 on Wednesday, the 5th; and to those of Parramatta and the  
 adjacent districts on Thursday, the 6th, and Friday, the 7th,  
 instant.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 1st April, 1809.

1 April. His Honor the Lieutenant-Governor has been pleased to appoint  
 Mr. Wm. Gaudry to be clerk in the Secretary's office.

The New South Wales Corps. The Lieutenant-Governor is extremely gratified at being able  
 thus publicly to testify his approbation of the appearance and

\* Ante, p. 97.

movements of the New South Wales Corps, which he this day had the honor to review; and he will not fail to represent to His Royal Highness the Commander-in-Chief that the high character justly given by all former Governors of the strict discipline, zealous attention, and exemplary good conduct of the Corps has never upon any occasion been forfeited, but continues to be maintained to the fullest extent.

1809

1 April.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 8th April, 1809.

8 April.

His Honor the Lieutenant-Governor having been pleased to appoint James Finucane, Esq., to be his Aide-de-camp, all communications and orders relative to the military business of the colony, issued through him, are to be obeyed accordingly.

Paterson's  
aide-de-  
camp.

## COLONEL PATERSON TO LIEUTENANT-GOVERNOR COLLINS.

Sir,

Head-quarters, Sydney, 15th April, 1809.

15 April.

Should the contract which you have made with Messrs. Hook and Campbell for the importation of Bengal cattle, &c., not be fulfilled on the receipt of this letter, and should a supply of horned cattle be wanted at the Derwent, I have directed the officer commanding at Port Dalrymple, to select from the public herds two bulls and 150 cows, which he will send to you on your application to that effect.\*

Cattle for  
the  
Derwent.

In case you deem it expedient to avail yourself of this arrangement, it will be necessary to give Captain Brabyn an intimation thereof, that he may order the cattle to be driven half-way, where they may be delivered to such persons as you may appoint to receive and conduct them to your settlement. I have, &c.,

Drafts from  
Port  
Dalrymple.

W<sup>M</sup> PATERSON.

## MAJOR-GENERAL GROSE TO UNDER-SECRETARY COOKE.

Sir,

Croydon, 16th April, 1809.

16 April.

Having heard that from the bad state of health with which General Nightingall is affected he cannot immediately undertake the voyage to New South Wales, I venture on this occasion to offer my services; and in the event of its being considered expedient to employ me, I shall be ready to embark as soon as called on for that duty.

Nightingall's illness.

I have, &amp;c.,

FRANS. GROSE, M.-G.

## LIEUTENANT-COLONEL MACQUARIE TO QUARTERMASTER-GENERAL GORDON.

Sir,

49, Albermarle-street, 17th April, 1809.

17 April.

The Lords Commissioners of His Majesty's Treasury, in consequence of my application to that effect through the Secretary at War, having some time since granted permission to all the

Soldiers'  
wives and  
children.

\* Before this letter was written, the cattle had arrived at the Derwent.

1809 women and children belonging to the 73rd Regiment to proceed  
 17 April. with it to New South Wales; but no orders having yet been received by the Commanders of the Hindostan, man-of-war, and Dromedary, naval store-ship, from the Admiralty or Navy Board for receiving them on board their respective ships, I beg to call your attention to this circumstance, and to request you will be pleased to make the necessary application for orders being sent to the commander of those ships to receive on board of them one hundred married women and sixty children belonging to the 73rd Regiment, at whatever time the corps embarks, which I am given to understand it will be ordered to do in the course of a few days.

I have, &c., L. MACQUARIE,  
 Lt.-Col., Comg. 73rd Regt.

COLONEL PATERSON TO LIEUTENANT-GOVERNOR COLLINS.

19 April. Sir, Head-quarters, Sydney, 19th April, 1809.  
 I have to acknowledge the receipt of your letters of the 26th ult. and 4th inst., by the Hunter, with the enclosures, to which I shall reply by the Pegasus.

Overland from Port Dalrymple. The Endeavour having been forced to return to this port, and not being as yet ready to resume her voyage, I avail myself of the opportunity offered by the Venus, schooner, of sending my letters for you to Port Dalrymple, with directions to the Commanding Officer there to forward them overland.

Paterson's proclamation. My letter to you of the 30th of March by the *Æolus*, containing my proclamation of the 19th of March,\* has no doubt been duly received, and the observance of it enforced in the settlement under your command.

Orders to Collins. Lest, however, any accident should have prevented the receipt of that letter, I now again enclose you the proclamation referred to; and as I understand Commodore Bligh, in further violation of his word of honor, has landed and been received at Government House at Hobart Town, and has intercepted letters officially addressed to the officer administering the Government of this territory, I have to repeat my orders that you do adopt immediate measures for carrying my proclamation into the fullest effect.

I have, &c.,

W<sup>m</sup> PATERSON.

COLONEL PATERSON TO LIEUTENANT-GOVERNOR COLLINS.  
 (Colonial Secretary's Papers)

20 April. Sir, Head-quarters, Sydney, 20th April, 1809.  
 Provisions for the Derwent. As the several articles of provisions (both of salt meat and grain), about to be sent from hence to the Derwent, are intended solely for the use of that settlement, I have to desire that no part of them (or of those which may have previously been in His Majesty's stores there) shall be appropriated to any other purpose

\* Ante, p. 81.

whatever, and that no fresh meat shall be furnished until further orders to any others than the persons usually victualled in the establishment of the settlement. 1809 20 April.

I am induced to call your particular attention to this order, from an apprehension that Commodore Bligh may make a requisition to you for supplies for the use of the Porpoise, of which he cannot stand in need, as that vessel at her departure from hence was completely furnished with stores and provisions for eight months, a length of time much greater than her voyage to England can possibly require. Bligh not to be given supplies.

I have, &c.,

W<sup>M</sup> PATERSON.

JUDGE-ADVOCATE ATKINS TO JAMES FINUCANE.  
(Colonial Secretary's Papers.)

Sir,

Sydney, 20th April, 1809.

I have the honor of acknowledging the receipt of your letter of the 15th instant April, stating that "you are directed by the Lieutenant-Governor to request I will state for his information whether, by the patent of the colony, he is authorised to decide upon appeals, or to interfere in cases which occurred previous to his assuming the Government." A point of law.

As the patent expresses, "our will and pleasure is that he, she, or they may appeal to the Governor of the eastern coast of New South Wales and the parts adjacent, or in case of his death or absence to the Lieutenant-Governor for the time being, whom we do hereby empower and authorise to hear and determine the same," I am clearly of opinion that it is in the competence of Lieutenant-Governor Paterson to hear and determine such appeals, as effectually to all intents and purposes as if such causes of appeal had occurred during his Government. Paterson's legal status

I have, &c.,

RICH<sup>D</sup> ATKINS.

LIEUTENANT-GOVERNOR COLLINS'S GENERAL ORDER.

Hobart Town, 25th April, 1809.

25 April

THE Lieutenant-Governor, understanding that several of the Norfolk settlers and other persons have presumed to address letters and petitions to Governor Bligh since his arrival in this settlement, without the knowledge or consent of the Lieutenant-Governor, as he is willing to ascribe this improper conduct of theirs to ignorance, he hereby informs them that they are not upon any account to address or present any letter, paper, or petition to Governor Bligh without the previous knowledge of the Governor of this settlement; and if, after the publication of this Order, any person or persons shall be found offending therein, he or they will be brought before a Bench of Magistrates to answer for the same. Settlers' address to Bligh.

DAVID COLLINS.

Lieut.-Governor.

1803

## GOVERNMENT AND GENERAL ORDER.

25 April.

Head-quarters, Sydney, 25th April, 1809.

DURING the absence of the Lieutenant-Governor from head-quarters, all reports, &c., are to be made to Lieutenant-Governor Foveaux, at Government House.

The first  
post office.

Complaints having been made to the Lieutenant-Governor that numerous frauds have been committed by individuals repairing on board ships, on their arrival at this port, and personating others, by which they have obtained possession of letters and parcels, to the great injury of those for whom they were intended,—the Lieutenant-Governor, in order to prevent the practice of such frauds in future, has been pleased to establish an office, at which all parcels and letters addressed to the inhabitants of this colony shall be deposited previous to their distribution, which office shall be under the direction of Mr. Isaac Nichols (assistant to the Naval Officer), who has entered into security for the faithful discharge of the trust reposed in him.

Postal  
regulations.

The following regulations are, therefore, to be observed, viz.:—On the arrival of any vessel, Mr. Nichols (or a person properly authorised by him) is to repair on board, and to require that all letters and parcels directed for this colony shall be delivered to him, for which he is to give a receipt to the master, mate, or supercargo. The office for their reception shall be established at his house, and in consideration of the trouble and expence attendant on this duty the following sums shall be charged by him on their delivery, viz.,—For every letter, one shilling; for every parcel not exceeding 20 lbs. weight, two shillings and sixpence; and all exceeding that weight, five shillings.

Letter lists.

A list is to be published in the *Gazette* of the names of persons to whom letters and parcels are to be directed. Soldiers' letters (agreeable to the established regulations) to be charged only one penny.

The  
Parramatta  
surgeon.

The Lieutenant-Governor is extremely sorry to observe that several complaints have been made of the inattention of the Colonial medical officer stationed at Parramatta. He trusts, however, that in future that gentleman, by a proper discharge of his duty, will prevent a repetition of them, and relieve the Lieutenant-Governor from the very painful necessity of submitting them to the investigation of a General Court-Martial.

Blaxcell  
retires.

The Lieutenant-Governor has been pleased to allow Mr. Blaxcell to retire from the situation of a magistrate for the county of Cumberland.

## QUARTERMASTER-GENERAL GORDON TO UNDER-SECRETARY COOKE.

26 April.

Sir,

Horse Guards, 26th April, 1809.

The barracks  
at Sydney.

I have it in command from the Commander-in-Chief to request you will be pleased to submit to Lord Castlereagh the propriety of an enlargement of the barracks at Sydney, in New

South Wales, it being understood that there is not accommodation at that place for more than 400 men, and the 73rd Regiment will probably embark 800 strong.\* 1809  
26 April.

I have, &c.,

J. W. GORDON.

CAPTAIN PORTEOUS TO SECRETARY POLE.†

His Majesty's Ship Porpoise, River Derwent,

Sir, Van Dieman's Land, 27th April, 1809. 27 April.

I beg leave to inform you, for the information of my Lord's Commissioners of the Admiralty, that I arrived in Port Jackson for the purpose of joining this ship on the 16th of November, 1808. On my arrival I found that His Majesty's ship had sailed for Port Dalrymple to bring up Lieut.-Gov. Paterson to take the command of the colony. Porteous arrives in the colony.

I immediately waited on Commodore Bligh, whom I found had been placed under arrest by the military and inhabitants. He informed me of his confinement, and that it was only occasionally he was allowed to have any communication with the Porpoise. He finds Bligh under arrest.

The Porpoise did not arrive till the 1st of January, 1809, when I joined her and took the command, and by Commodore Bligh's verbal order placed Mr. William Kent, the acting commander, under an arrest. On the 2nd I received an order to put myself under Com'd'e Bligh's command, and to proceed to fit the ship for sea; on the 24th I received a letter from Lieut.-Gov'r Paterson, requesting the services of the Porpoise in evacuating the settlement of Norfolk Island. I answered that I was under the orders of Commodore Bligh, to whom I should communicate his letter. I accordingly wrote to Com'd'e Bligh, and inclosed him the letter I had received, and received an answer expressive of his disapprobation of my communication. I expressed my concern at his displeasure, and immediately acquainted Lieut.-Gov'r Paterson that it was totally out of my power to comply with his request. Porteous takes command of the Porpoise.

On the next day, Jan. 27th, I received a letter from Lieut.-Gov'r Paterson, informing me that he felt it his duty to suspend any further communication with Com'd'e Bligh and his officers. I replied to Lieut.-Gov'r Paterson's letter, and expressed my concern at the step he had taken, which would not induce me to act contrary to the orders I had received. Subordinate to Bligh.

Notwithstanding the prohibition contained in Lieut.-Gov'r Paterson's letter, I waited as usual on Com'd'e Bligh, but was refused admittance by the centinals placed at his door. He was shortly afterwards conveyed to a barrack, under so strong a guard that it was impossible to see him. Paterson intervenes.

\* Viscount Castlereagh, on 14th May, 1809 (post, p. 147), authorised Macquarie to erect the necessary barracks.

† The Hon. W. W. Pole, Secretary to the Admiralty.

1809  
27 April.  
Letters pass  
through  
Paterson.

It having been a public matter of conversation that it was the intention of the Lieut.-Gov'r to send Com'd'e Bligh to England in the merchant ship Admiral Gambier, I conceived it my duty to apprise him of the report, and to request his directions, which letter I was obliged to forward thro' the Lieut.-Governor, being denied all other means of access.

Bligh and  
Porteous.

On the 30th of Jan'y I received a letter from Lieut.-Gov'r Paterson, acquainting me with a conversation held with the Commodore and two of his (Col. Paterson's) officers, in which he denies having given me any orders for my guidance. I replied to it by requesting that Lieut.-Gov'r Paterson would forward a letter, which I inclosed for that purpose, to Com'd'e Bligh; and, as I did not receive any answer, I again wrote to Com'd'e Bligh, inclosing copy of my former letter, which I requested Lieut.-Gov'r Paterson to forward to him.

Bligh  
embarks on  
the Porpoise  
and sails.

To those letters I never received any answer; but, on the 4th of February, Commodore Bligh having signed an agreement, which was transmitted to me by the Lieut.-Gov'r, I was, on the 5th, allowed to see him, when he told me that he was obliged to go to England, and desired me to get the ship ready accordingly. On the 14th I received a written order to be ready for sea by the 20th. I answered it by acquainting him that the defects and refitting of the ship would necessarily take up a longer time, but that every exertion should be used on my part to fulfil his orders. Commodore Bligh, however, embarked with his family on the 20th; but, from various circumstances, we were detained in Port Jackson till the 17th of March, on which day we sailed, and on the 31st of March we anchored in this port.

I inclose copies of my correspondence,\* and I respectfully hope their Lordships will believe that in every circumstance I have been actuated by an ardent desire to further His Majesty's service as far as lay in my power, and to the best of my judgment.

I am, &c.,

JOHN PORTEOUS,  
Commander.

[Enclosure No. 1.]

CAPTAIN PORTEOUS TO COLONEL PATERSON.

Sir, His Majesty's Ship Porpoise, 25th January, 1809.

Employ-  
ment of the  
Porpoise.

I have to acknowledge the receipt of your letter of yesterday's date,† requesting that I would order the requisite arrangements to be made to enable you to bring away the greater part of the inhabitants of Norfolk Island, in obedience to His Majesty's instructions.

\* Other letters which bear on the question of Porteous's position as commander of the Porpoise will be found under dates 24th, 25th, and 26th January, 1809—ante, pp. 9 and 10.

† Ante, p. 9.

I have to inform you that, having received an order in writing from Commodore Bligh (a copy of which is enclosed),\* I have referred your letter to that officer, and requested he would give me the necessary directions thereon.

1809

27 April.

Bligh's  
orders.

I am, &amp;c.,

JOHN PORTEOUS,  
Commander.

[Enclosure No. 2.]

CAPTAIN PORTEOUS TO GOVERNOR BLIGH.

Sir, His Majesty's Ship Porpoise, 25th January, 1809.

Having received a letter from Lieut.-Gov'r Paterson,† I inclose it for your information; and I have to request you will have the goodness to return it to me when you have done with it. I also enclose a copy of my answer to Lieut.-Gov. Paterson, and beg your instructions for my proceedings.‡

Porteous  
asks for  
Bligh's  
orders.

I have, &amp;c.,

JOHN PORTEOUS,  
Commander.

[Enclosure No. 3.]

COLONEL PATERSON TO CAPTAIN PORTEOUS.

Sir, Head-quarters, Sydney, 27th January, 1809.

I am to acquaint you that, from the injury the interests of the territory must sustain in consequence of the opposition offered to the execution of its service by Commodore Bligh, which has become evident from his having withheld the confirmation conceived necessary to my request that His Majesty's ship Porpoise should proceed to Norfolk Island, I have felt it my duty to suspend any farther communication of that officer with yourself as the Second Commander, or any other officer or person belonging to that vessel.

Communica-  
tion with  
Bligh  
stopped.

I have, &amp;c.,

W<sup>M</sup> PATERSON.

[Enclosure No 4.]

CAPTAIN PORTEOUS TO COLONEL PATERSON.

Sir, His Majesty's ship Porpoise, 27th January, 1809.

I received your letter of this day's date, wherein you make it known to me that you feel it your duty to prevent further communication between Commodore Bligh and myself, as well as every other officer belonging to His Majesty's ship Porpoise.

I am much concerned that the service of the colony requires any further restraint being placed on Commodore Bligh. It would have given me much pleasure to have employed His Majesty's ship under my command in the public service of this territory; but the positive and decisive orders I have received from Commodore

Porteous  
remains  
subordinate  
to Bligh.

\* See the Order dated 2nd January, 1809—ante, p. 5.

† The letter from Paterson to Porteous, dated 24th January, will be found on p. 9, ante.

‡ See Bligh's reply of same date—ante, p. 10.

1809  
27 April.

Bligh—whose broad pendant I bear—to remain in this port till I receive further orders from him, puts it totally out of my power to perform those duties which are required of His Majesty's ship under my command, without his sanction being previously obtained.

I am, &c.,

JOHN PORTEOUS,  
Commander.

[Enclosure No. 5.]

CAPTAIN PORTEOUS TO GOVERNOR BLIGH.

Sir, His Majesty's Ship Porpoise, 28th January, 1809.

Porteous  
and Bligh.

I had the honor to receive your letter of yesterday's date in answer to mine, inclosing one from Lieut.-Gov'r Paterson.\*

I am extremely concerned that my communication to you of Lieut.-Gov'r Paterson's letter has met with your marked disapprobation. In my letter to the Lords Commissioners of the Admiralty, I shall inclose copies of my correspondence with you since my joining His Majesty's ship Porpoise, which I trust will prove satisfactory to their Lordships.

I have, &c.,

JOHN PORTEOUS,  
Commander.

[Enclosure No. 6.]

CAPTAIN PORTEOUS TO GOVERNOR BLIGH.

His Majesty's Ship Porpoise,

Port Jackson, 30th January, 1809.

Sir,

Porteous  
asks Bligh  
for orders.

It having been verbally communicated to me, and it being also a matter of public notoriety, that it is the intention of the present Lieutenant-Governor that you should proceed in the Admiral Gambier to England, I think it my duty to request you will give me directions for my guidance previous to such an event taking place. His Majesty's ship under my command will be ready for sea at a moment's warning; and as I am serving immediately under your orders, and your broad pendant flying on board the ship I have the honor to command, I trust you will have the goodness to give me such directions as will leave me in no doubt how to act on so critical an event.

I am, sir,

JOHN PORTEOUS,  
Commander.

[Enclosure No 7.]

COLONEL PATERSON TO CAPTAIN PORTEOUS.

Head-quarters, Sydney, 4 o'clock, p.m.,

30th January, 1809.

Sir,

The com-  
mand of the  
Porpoise.

Lieutenant-Colonel Johnston and Major Abbott having been informed by Commodore Bligh that he has never given you any orders to prevent His Majesty's ship Porpoise proceeding to Norfolk

\* Bligh's letter of 27th January is not available.

CAPTAIN PORTEOUS.

107

Island ; that this vessel was under your command ; and that as he was under an arrest it rested with you to act as you thought proper, —I think it necessary to take the earliest opportunity of apprizing you of the same. 1809  
27 April.

I have, &c.,

W<sup>m</sup> PATERSON.

[Enclosure No. 8.]

CAPTAIN PORTEOUS TO COLONEL PATERSON.

Sir, His Majesty's Ship Porpoise, 30th January, 1809.

As all communication between Commodore Bligh and his officers is stopped by your letter of the 27th January, I have to request you will forward the inclosed letter to Commodore Bligh, and that he may have the means of communicating his answer to me. A letter to Bligh.

I am, &c.,

JOHN PORTEOUS,  
Commander.

His Majesty's Ship Porpoise,  
Port Jackson, 30th January, 1809.

Sir,

I beg leave to inclose for your information a copy of a letter of this day's date from Lieut.-Gov'r Paterson, in which it is asserted by Lieut.-Col'l Johnstone and Major Abbott that you denied to them your ever given any orders respecting the proceedings of His Majesty's ship Porpoise, and that you referred Lieut.-Col'l Paterson to me as commander of that ship. I respectfully beg leave to call to your recollection your order, dated 2nd January,\* and your letter of the 25th January† (copies of which are inclosed), as also your many verbal communications on the subject of H.M. ship Porpoise leaving this port. The difference between those communications are apparent ; but I trust you will do me the justice to believe that on no consideration whatever shall those orders be departed from without precise and specific directions from yourself. Bligh's orders to Porteous.

I have, &c.,

Commodore Bligh.

JOHN PORTEOUS,  
Commander.

[Enclosure No. 9.]

GOVERNOR BLIGH TO CAPTAIN PORTEOUS.

By William Bligh, Esquire, Commodore Commanding His Majesty's ships and vessels employed in the South Pacific Ocean, &c., &c., &c.

You are hereby required and directed to have His Majesty's ship Porpoise, bearing my broad pendant, ready for sea by the 20th instant, to receive me on board to proceed to England, taking care she is victualled and stored for eight months. Porpoise to be got ready for sea.

Given under my hand, at Government House, Sydney, New South Wales, this 14th day of February, 1809.

By command of the Commodore, W<sup>m</sup> BLIGH.  
EDMUND GRIFFIN, Secretary.

\* Ante, p. 5.

† Ante, p. 10.

1800

## GOVERNMENT AND GENERAL ORDER.

28 April.

Distribution  
of spirits.

Head-quarters, Sydney, 28th April, 1809.

THE Lieutenant-Governor having been pleased to allow a quantity of spirits to be landed by Messrs. Underwood and Kable from the ship Sydney Cove, and lodged in the bonded stores, it will be distributed in the following proportions, viz.:—200 gallons for His Majesty's stores; the officers, civil and military, 10 gallons each; storekeepers, 6 gallons each; the serjeants of the New South Wales Corps and superintendants, 5 gallons each; the licensed publicans who did not receive any at the last distribution, 4 gallons each. The above spirits will be issued at the rate of 15s. per gallon for Jamaica rum and 12s. for Rio spirits.\*

## PROCLAMATION.

29th April, 1809.

29 April

By His Excellency William Bligh, Esquire, Captain-General and Governor-in-Chief in and over His Majesty's territory of New South Wales and its dependencies, and Commodore Commanding His Majesty's ships and vessels employed in the South Pacific Ocean, &c., &c., &c.

Paterson's  
proclama-  
tion.

A PROCLAMATION dated the 19th March last appearing in a *Sydney Gazette* of the 26th of the same month, published under the authority of Colonel Paterson, of the New South Wales Corps, brought here by the ship *Æolus*, stating, among other things, that he, the said Colonel Paterson, was determined to exert the full powers with which he was invested to prevent the dreadful consequences meant to result from the designs of William Bligh, Esquire, and his accomplices; and that the said Colonel Paterson did, therefore, positively charge and command all His Majesty's subjects within this territory not to hold, countenance, or be privy to any communication or correspondence, by personal interview, letter, message, signal, or otherwise, with the said William Bligh, Esquire, or with any person belonging to his family, establishment, or retinue at present embarked on board His Majesty's ship Porpoise, or with any person known to be in his or their employment, service, confidence, or intimacy now on board said vessel. And all officers, civil and military, and all other His Majesty's faithful subjects within this territory, are thereby required and commanded to aid, assist, and promote, by all the means in their power, a strict obedience to that proclamation; and to give immediate information to the said Colonel Paterson, or to some other of His Majesty's officers, civil or military, of any person or persons who shall attempt to act in defiance, opposition, neglect, or evasion thereof, in order that such offender or offenders may be dealt with as abettors of sedition, and enemies to the peace and

The procla-  
mation  
recited.

\* From the *Sydney Gazette* of 30th April, 1800, we learn the following prices of the staple articles of food:—Beef or mutton, 1s. 3d. per lb.; pork, 1s. per lb.; wheat, 13s. to 18s. per bushel; maize, 6s.; oats, 4s. 6d.

prosperity of the colony ; to which proclamation is added "God Save the King! By command of His Honor the Lieutenant-Governor. Signed—JAMES FINUCANE, Secretary." 1809  
29 April.

The cause of this appears to have arisen from my proclaiming the New South Wales Corps and others, when I sailed, in a state of mutiny and rebellion, and sending such proclamations to the masters of the ships, forbidding them to take such persons as were implicated in it out of the colony. Bligh's proclamation.

Now know ye, all loyal officers, civil and military, and all His Majesty's liege subjects in this territory and islands adjacent, that the proclamation of Colonel Paterson is of the most rebellious and unlawful nature, such as will fill the mind of our most gracious King and his Ministers, and all loyal persons within his realms and dominions, with indignation, and heap upon the heads of these promulgators of such rebellious principles accumulated guilt and consequent punishment. Rebellion

It is done with design to induce all His Majesty's subjects to unite in the rebellion, in order to make the case of the offenders the less conspicuous, and to make appear what they have done to be the voice of the people at large. It is likewise done to involve innocent and loyal persons, by inducing them to believe that the usurped existing power at Sydney (which is the military) hold their authority by lawful means ; and to complete their designs, it is evidently intended to alarm and distract the territory. Paterson's policy

You, therefore, have to consider that, by His Majesty's most gracious commission, I am Captain-General and Governor-in-Chief of this territory and its dependencies, and required and commanded to do what belongs to the command and trust reposed in me by my commission and instructions under the Sign Manual order of Privy Council, or through one of His Majesty's Principal Secretaries of State, for the impartial administration of justice. Bligh proclaims his authority.

That I only am empowered to keep and use the public seal for sealing all things whatsoever that shall pass the Great Seal of the territory and its dependencies.

That I only am empowered to institute and appoint justices of the peace, coroners, constables, and other necessary officers and ministers for the better administration of justice and putting the law in execution. And it is further granted unto me full power and authority, where I shall see cause or shall judge any offender or offenders in criminal matters, or for any fines and forfeitures due unto the King, fit objects of his mercy, to pardon all such offenders, and to remit all such offences, fines, and forfeitures (treason and wilful murder excepted); in which cases I have power, upon extraordinary occasions, to grant reprieves to the offenders until the Royal pleasure is known. His prerogatives and powers.

1800

20 April.

May use  
armed force.

Full power and authority is also granted to me to levy, arm, muster, commanding all persons whatsoever residing in this territory and its dependencies, as occasion shall serve, to march from one place to another, or to embark them for resisting and withstanding of all enemies, pirates, and rebels, both at sea and land; and such enemies, pirates and rebels, if there shall be occasion to pursue and prosecute in or out of the limits of the territory and its dependencies, and (if it should so please God) them to vanquish, apprehend, and take, and being taken, according to law to put to death, or keep or pursue alive at my discretion, and to execute martial law in time of invasion or other times when by law it may be executed; and to do and execute all and every other thing or things which to His Majesty's Captain-General and Governor-in-Chief doth or ought to belong; and all officers and ministers, civil and military, and all other inhabitants of this territory are commanded to be aiding and assisting unto me in the execution of my commission and of the powers and authorities therein contained.

Appointed  
during  
King's  
pleasure.

His Majesty's commission to me concludes:—That I, the said William Bligh, shall and may hold, execute, and enjoy the office and place of Captain-General and Governor-in-Chief in and over this territory and its dependencies, together with all and singular the powers and authorities thereby granted unto me for and during the King's will and pleasure.

For your farther instruction, the subversion of His Majesty's Government took place in the following manner:—

[Here follows a brief account of the events from the trial of Macarthur to the liberation of Bligh from confinement in the Barracks.]

I then by stratagem got command of my ship, where my broad pendant was flying.

This is all immediately necessary for your information, to guard your conduct and preserve your loyalty unshaken, amidst the monstrous efforts which have been used to destroy all stability.

Given under my hand, on board His Majesty's ship Porpoise, in the Derwent, New South Wales.

W<sup>M</sup> BLIGH.

God Save the King!

THE ADMIRALTY TO UNDER-SECRETARY COOKE.

Sir,

Admiralty Office, 29th April, 1809.

Macquarie  
to be  
appointed  
Vice-  
Admiral

In answer to Lord Castlereagh's letter of the 27th instant, requesting that Lachlan Macquarie, Esq're, who is appointed Captain-General and Governor-in-Chief in and over the settlement of New South Wales, may be granted such powers as have been

usually granted to Governors, I am commanded by my Lords Commissioners of the Admiralty to acquaint you that the warrant appointing him Vice-Admiral of the said settlement is ready to be delivered to such person as may call at this office for it.

1809

29 April.

I am, &c.,

JOHN BARROW.

REV. S. MARSDEN TO UNDER-SECRETARY COOKE.

Sir,

Ivy-lane, No. 8, 30th April, 1809.

30 April.

The ship *Ann* being taken up to carry male convicts to New South Wales, I shall be glad if you can accommodate myself and the Rev'd Cartwright with a passage. My family will consist of my wife, and five children. I shall want about five tons for my baggage, tools of agriculture, books for the schools, shoes and clothing for the children belonging to the Orphan School, which I have been requested by the committee to take out for them.

Marsden  
returning  
to the  
colony.

Rev'd Cartwright's family will consist of his wife, six children, and two servants. His baggage may be from two to three tons. As a convict ship will not be the most agreeable to our families, I trust you will give directions that we may be accommodated in as comfortable a manner as the circumstances of the ship will admit.

Rev.  
Cartwright.

I have, &c.,

SAMUEL MARSDEN.

VISCOUNT CASTLEREAGH TO THE LORDS OF THE TREASURY.

My Lords,

Downing-street, April, 1809.

The widow of Captain King, late Governor of His Majesty's settlements in New South Wales, has presented to me a petition, of which the inclosed is a copy,\* stating the services of her late husband during a period of near forty years, and that by his death she is left with six children without any other provision than the residue of a sum of £2,000, which he had saved from his salary.

Governor  
King's  
widow

Captain King was employed in promoting the establishment of the colony of New South Wales from the time of its first formation—a period of more than 20 years. During the whole of that time he was actively engaged either in forming subordinate settlements in that remote quarter of the globe, or in conducting the government of the whole, in which he displayed unremitting zeal and integrity; and his health was ultimately impaired by the severities and anxieties inseparable from the peculiar service on which he was so long employed. I cannot, therefore, but consider the situation of his widow and family deserving of consideration; and I am to request that your Lordships will receive His Majesty's pleasure for granting to Mrs. King an allowance of not less than

King's  
labours.

A pension  
for his  
widow.

\* The petition was in effect identical with King's memorial of 23rd May (vol. vi, p. 641.) The Governor left six children, the youngest 4 years of age.

1809 £200 a year, and that the same may be provided in the estimate  
30 April. to be submitted to Parliament for the establishment of New  
South Wales.\*

I have, &c.,

CASTLEREAGH.

GOVERNOR BLIGH TO LIEUTENANT-GOVERNOR COLLINS.

His Majesty's ship Porpoise,  
in the Derwent, 1st May, 1809.

1 May.

Dear Sir,

Printing at  
Hobart.

In my letter of the 29th ultimo† I enclosed a proclamation which, I informed you, I meant to circulate, and in our conversation it was agreed it could be printed. I, therefore, sent for Mr. Powers to-day on the subject, to proceed in the execution of it, when, on his going to the office, the printing ink was discovered to have been taken away, and so recently that the place where the keg had stood was observed to be wet with the ink which had oozed out of it. This circumstance appears extraordinary, and obliges me to have the laborious task of writing the necessary number of proclamations; and to request of you to have the one in your possession published by the same means, so that by being distributed it may become known in the settlement. In the meantime I have the fullest confidence you will use every effort to recover the ink, which is of such material consequence to the public use.

I am, &c.,

W<sup>M</sup> BLIGH.

VISCOUNT CASTLEREAGH TO THE ADMIRALTY.

My Lords, Downing-street, 2nd May, 1809.

2 May.

The relief  
of the 102nd  
Regiment.

It having been deemed expedient for His Majesty's service that the regiment of infantry now stationed in the settlement of New South Wales should be brought to England and relieved by the 73rd Foot, commanded by Colonel McQuarie, who has been appointed‡ to succeed Capt. Bligh as Governor of New South Wales, I am to signify to your Lordships the King's pleasure that two ships of war, armed *en flute*, should be prepared for this service, and that your Lordships should give the necessary orders for their receiving on board the 73rd Regiment, consisting of about 800 rank and file, with 100 women, and 50 children. These ships are to proceed to Port Jackson, on the coast of New Holland, and there to land the 73rd Regiment. They are then to take on board the officers and men belonging to the New South Wales Corps, with which they are to return to Europe. It will be desirable that your Lordships should instruct the officer who may have the command of the ships allotted for, that he is on all occasions on which Col. Macquarie shall think it desirable to consult with him to act in concert with Col. Macquarie for the furtherance of such objects as he may have in view for the good of His Majesty's

The 73rd  
Regiment.

Transport  
ships.

\* See Castlereagh's letter to Mrs. King of 7th March, 1809, ante, p. 61.

† Bligh's letter of 29th April was merely a covering letter to the Proclamation (ante p. 108), and has, therefore, been omitted.

‡ Macquarie's commission bore date 8th May, 1809p—ost, pp. 126-33.

service, and that he is to remain at Port Jackson as long as it may be thought advisable to detain the ships at the settlement. 1809  
2 May.

It is, further, His Majesty's pleasure that Col. Macquarie should be accommodated, for himself, his family, and baggage, on board of one of the said ships, and that Mr. Bent, who is proceeding to New South Wales as Judge-Advocate of the colony, should also be received on board with his family and baggage. Macquarie  
and Bent.

I am, &c.,

CASTLEREAGH.

GOVERNOR BLIGH TO LIEUTENANT-GOVERNOR COLLINS.

H.M.S. Porpoise, Thursday morning,

9 o'clock, 3rd May, 1809.

3 May

His Excellency Governor Bligh requests His Honor Lieutenant-Governor Collins will direct his proclamation of the 29th ultimo to be read to the inhabitants and others at noon, who are to be acquainted therewith, and to meet at the bell.\* Bligh's pro-  
clamation.

By command of His Excellency,

EDMUND GRIFFIN,

Secretary.

T. W. PLUMMER TO COLONEL MACQUARIE.

Dear Sir, No. 1, Park-st., Westminster, 4th May, 1809.

4 May.

In conformity to the permission with which you have honor'd me, of troubling you with a few suggestions respecting the colony of New South Wales, I beg to submit to your consideration the following remarks:—From the defects which are apparent in the system of government hitherto prevailing in that colony, and the ill consequences which have resulted from them, and especially from the absolute omission of parliamentary sanction to the greater part of the Colonial Government, I deem myself warranted in saying that no case ever occurred in which the interference of the Legislature was more urgently required, or could be more advantageously applied, than in the enactment of an entirely new code of regulations for New South Wales. Aided by such interference, I pledge myself to prove that this colony will not only become one of the most valuable appendages of the British Empire as a mere colony, but also that it is capable of speedily and completely accomplishing its original design of being a school of reform to the convicts in general who are transported there.

Government  
of New  
South Wales.

A valuable  
colony.

To enter at large into all the points connected with this very important question would neither suit the limits of the present communication nor, to one so well-informed on the subject as yourself, would it be necessary. I will, therefore, confine myself to those points which are of more peculiar consequence as forming the basis of the system I presume to recommend, leaving the minutia to more convenient discussion. Suggested  
reforms.

\* See Collins's reply of 4th May, post, p. 125.

1809

4 May.

A new  
system of  
Govern-  
ment

As the general outline of the proposed system, I would observe that my great object has been to strengthen the hands of the Colonial Government as much as possible—to facilitate the exercise by simplifying and defining the functions of the different constituted authorities—in a word, to combine a strong and energetic executive power with as great a portion of private liberty and public privilege as the nature of the colony and its peculiar local circumstances will admit.

Powers and  
authority of  
the Go-  
vernor.

And with this view, reserving to the Governor all the plenitude of permanent personal authority—all those ample discretionary powers, which in cases of emergency are so necessary to belong to his character as presiding over so distant a colony and composed of such discordant materials—I am desirous to give him the assistance of another constituted body, which, without in the smallest degree diminishing or controuling his authority, will relieve him from some of the details at present annexed to his office, not only vexatious in themselves, but inevitably calculated to render him unpopular, and over which, by the proposed arrangement, he will retain the same or even greater controul without the inconvenience alluded to.

A Council.

*The constituted body to which I refer is a Council.* In those British colonies where, from the smallness of the community, or some other cause, the establishment of an Assembly has been deemed eligible, we invariably find a Council. The usefulness of this body is equally evident and important. As advisers on public measures, as a tribunal of appeal from the lower Courts of Justice, and especially as a medium of Colonial legislation, a Council is most essential. In the actual state, however, of New South Wales, care must be taken so to constitute this body as to give the full benefit of its various functions without interfering with that salutary interposing discretionary power, which, especially on political emergencies, must be confided to the Governor. I have, however, but little apprehension that the Governor would ever find it necessary to dispence with a Council constituted as I propose this to be—a deliberative legislative and judicial, but not an executive, body. On the contrary, I conceive it would in all cases strengthen his hands, while their sanction, united to his authority, would render strong measures if required more palatable, and at all events divide the responsibility. But it will still be right that in all cases where the Governor may for special reasons chuse either to act without consulting the Council, or differing from them in opinion, think proper to embrace the whole responsibility of any particular measure, that then he should be fully empowered to do so, entering the fact on the records of the Council, as is the custom in similar cases in our East India settlements.

Functions of  
the Council.

The Go-  
vernor and  
the Council.

Constitut on  
of the  
Council.

The following is the plan I would propose in the formation of this Council vizt., that it should consist of seven members—(say)

the Governor, the Lieut.-Governor or second in command, the Commander of the Naval Force on the station, the Secretary to the Colony or Public Secretary, the Chief Judge, and two principal inhabitants.

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The five first would, of course, be permanent in virtue of their respective offices, and from their official characters it is fair to suppose would give a complete majority and preponderating influence to the Colonial Government. The two latter, I would submit, might be chosen in a mode which might avoid the inconvenience of a popular election (an event not at all of safe experiment in such a colony as New South Wales), and yet give the inhabitants the benefit of that local knowledge and joint interest which, as members of the same community, they may fairly be supposed to possess. At the same time an opportunity would be afforded to the Governor of dispensing an honorary distinction, not only gratifying to those who actually possess it, but to all those who, by their eligibility to the same office, would look forward to it in future, thus giving to the Government a support, while to the people it held out a protection.

Officers as  
Councillors.

It has hitherto been the custom to select certain of the most respectable inhabitants of the colony to act as magistrates. Where, then, would be the difficulty that—either by election out of their own body, or by seniority, as in the succession of mayors to corporations in England—two gentlemen should be chosen annually, biennially, or perhaps (as the whole number of magistrates is not great) triennially, to sit as the Colonial representatives in the Council, suspending their functions as magistrates in the interim as being absorbed in the superior office? This suspension of their magisterial powers would, in fact, be necessary, inasmuch as, in consequence of the Council being a Court of Appeal, they might otherwise, as members of the Council, have to decide on appeals where they had as magistrates pronounced the previous sentence.

Election of  
members.

Without enlarging further on the functions of the proposed Council, I would conclude the subject with pointing out two most essential circumstances of personal benefit to the Governor. The one is that he will thereby be relieved from the necessity of imposing taxes by his own sole authority; and the other, that he will delegate to the Council the office of hearing and deciding appeals—an employment not only vexatious in itself and troublesome from its great occupation of time, but as the constant disputes which prevail in the colony have brought at different periods almost every individual before the Governor, and as his award could not easily give satisfaction to both parties, there must have been, on many occasions, great ill-will and discontent against him in consequence.

Advantages  
of Council.

*Prevention of Scarcity, Encouragement to Agriculture, &c., &c.*—Agriculture. One of the most serious evils to which the colony of New South Wales has been liable is an occasional scarcity of grain. This has

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Scarcity of grain.

arisen partly from the situation of the principal agricultural settlement on the banks of the River Hawkesbury, which is subject to sudden inundations, sweeping away in an instant the produce of a whole harvest ; and the effect of these accidents has always been more severely felt in consequence of the mistaken economy which has frequently prevailed on the part of the Colonial Government in not laying in a fresh stock of grain in the public stores till the old one was completely exhausted, and generally waiting till the harvest in order to procure it at a cheaper rate. A melancholy instance of this erroneous policy occurred two years since, when a sudden and violent flood having destroyed the harvests on the banks of the Hawkesbury, then on the point of being got in, the public store was found totally destitute of any supply, and for several months the colony experienced all the horrors of impending famine. Nor is this the only instance of the kind. Some years since a similar flood happened, and placed the colony in the most distressful circumstances. In the single article of flour sent from this country, it cost Government nearly twenty thousand pounds.

Explanation of smallness of crops.

But it is not merely to the inundations of the River Hawkesbury that we are to ascribe the occasional scarcity in New South Wales—it is to be attributed in a most material degree to the want of proper encouragement to agriculture. The average crops of the colony are generally more than the consumption, and would be considerably increased if the farmer had any means of disposing of the surplus of his crop in an abundant year ; but the only means of consumption having hitherto been for mere food, the price of grain in abundant years is so much reduced that it will not pay the cultivation and the increased expences of getting in a larger crop, and the consequence has naturally been that the farmers have become careless of raising a large crop when a smaller one would pay them so much better.

Creating a market.

The best proof of the truth of this statement will be found in the fact that out of one hundred and fifty thousand acres located by the Crown, scarcely seventeen thousand are cleared and in cultivation.\* The only effectual remedy in this case, evidently, is to create a market for the purchase of grain equal to that surplus quantity which ought always to be found in the colony, as a protection against unforeseen scarcity, and this is to be done in either of two modes, vizt. :—

- 1st. That Government should always have such a quantity of grain in public store.
- 2dly. That a source of demand should be created which shall, independently of the interference of Government, make it the interest of individuals to raise as large crops as possible.

\* Mr. Plummer repeats this sentence in the shape of a marginal note, post, p. 124.

To the first of these plans there appears great objection. It would not only occasion a very considerable and permanent expence to Government for the purchase of this grain, but in the event of two abundant years following each other, would either cause a great loss to Government if they renewed such annual purchase with a large stock already on hand, or else, from the depreciated value of grain should Government refuse to renew such purchase, throw upon the farmer the very loss in question.

The first plan, therefore, being decidedly ineligible, I would propose the second, and beg to assert that a source of demand can be created, which would not only give the most ample encouragement to the farmer, and avert all danger of famine, without the smallest expence to Government; but, on the contrary, afford an extensive and popular source of revenue. The source in question is to be found in the establishment of a public distillery under particular modifications.

I am well aware that Government has hitherto prohibited the distillation of spirits in this colony altogether, and for the wisest purposes. To have suffered the free access of the lower classes of the community to spirits would certainly have risked the most dangerous consequences, and could not be too strictly guarded against; but while the vigilance of Government was wisely directed to prevent the unrestrained and improper use of spirits, it has yet invariably been the custom to allow of their importation in limited quantities, which were deposited in the King's store, and issued by permit as circumstances required. So necessary, indeed, has it been found to admit the introduction of a certain quantity of spirits under these restrictions, that when the supply in British vessels by any accident has failed, spirits have been purchased from American traders touching at the colony, at the serious sacrifice of every piece of coin it contained, money being the only payment which would be taken. I am, therefore, justified in asserting that a moderate supply of spirits, issued as already stated, under proper restrictions, is not only admissible, but absolutely necessary to the colony. This being allowed, the only question is: What is the most safe and advantageous method of bringing this quantity of spirits into the market? And I would answer,—By the medium of a distillery, under the following regulations:—

That a company should be formed, who, embarking a certain capital in the concern, should be allowed the exclusive privilege of distilling from grain for a limited term of years under similar regulations to those of the excise in England, for organizing which a proper person might be sent out from the Excise Office here.

That, in order to avoid the mischief arising from too easy an access by the lower class of people on account of the low price of spirits, a duty of 4s. or 5s. pr. gallon should be levied.

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Effects of  
Government  
purchases.A public  
distillery.Spirits  
distributed  
by Govern-  
ment.Spirits a  
necessity.A distilling  
company.An excise  
duty.

1809	That the company should always have in store a quantity of grain at least equal to six months' consumption by the whole colony.
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Supplies of grain.	That the purchases of grain by the company should always be made in the public market, and the price of each purchase regularly entered in a book.
Food supplies.	That in the event of scarcity at any time, the distillery of grain should be stopped (this point, of course, to be regulated by the price of grain), and Government be allowed to take the stock on hand for public use, at the prime cost, adding a certain rate for storage, interest of money, &c., as may be fixed.
Prevention of fraud.	That in the event of any fraud on the revenue, either by consumers or the company, a very severe punishment should be incurred; if by the company, and the case were flagrant, perhaps the forfeiture of their privilege should follow. All private stills should also be forbidden under severe penalties.
An import duty.	That, as an encouragement to the preference of Colonial spirit, the Colonial legislature might put a very heavy duty on all spirits imported from Europe, and altogether prohibit those from America.
Advantages of scheme.	If this plan is considered, it will be found to accomplish these essential points—of encouraging the farmer by an additional and permanent market; of preventing scarcity without imposing upon Government the expence of purchases under circumstances so disadvantageous; and of raising a revenue which would progressively and rapidly increase with the benefit itself conferr'd upon the colony.
Estimates of consumption and revenue.	Taking the population of New South Wales and its dependencies at 13,000, and supposing that they will annually consume 30,000 gallons of spirit, which is scarcely above two gallons annually for each person, it would yield on a duty of five shillings p'r gallon, which I conceive not to be more than it would properly bear, £7,500 p'r annum, and allowing £1,500 per annum for the utmost expence of collecting it, as there would be only one place to superintend, it leaves £6,000 per annum nett revenue available either in reduction of the present Colonial expences, or to defray the cost of such new establishments in the colony as might be required. There is another point connected with this question which would not only be an advantage to the company itself, but to the colony at large, and that is to permit the issue of promissory or, more properly, Colonial bank-notes, payable on demand, to the value of the stock of grain which by stipulation the distillery company must always have in store. Independently of the large capital otherwise embarked in this concern, the grain in depôt would be an ample pledge for the paper in circulation, and give it that general preference as a Colonial currency over the mere
Promissory notes.	

promissory notes of private individuals which have hitherto, with the exception of a small amount of Government paper, been the only circulating paper medium in the colony, and which private notes it may easily be conceived, from their unrestrained issue by persons of little or no property, have not only occasioned frequent litigation, but great loss to different members of the community.\* This plan would also afford the means of preventing in future the highly injurious practice which has hitherto obtained in the colony of issuing promissory notes or contracts for the delivery of specific quantities of grain without regard to the variation of markets—a practice obviously tending to introduce a species of usury of the most dangerous kind.

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Paper  
currency.

In short, the many and important advantages of the distillery plan are too evident to need discussion; and with respect to the possibility of completely and effectually enforcing the excise regulations, I would ask whether the same means employed here must not be equally efficacious in New South Wales?

The excise-  
man.

*On the defects of the present Convict System, and the means of improving it.*—Without imputing blame to those gentlemen who have hitherto had the direction of the colony and its dependencies, I may yet be allowed to remark that in no one point of view has the plan of transportation been effectual for the purpose which it was intended to accomplish. It has neither operated to reform the vices nor to extract any advantage from the labour of the convicts at all adequate to the expence incurr'd by their transportation; on the contrary, they have, almost in every instance, been confirmed in their criminal propensities, while their labour has scarcely been sufficiently productive to pay for their bare subsistence. These, and most of the other evils attached to our present system of transportation, may, I conceive, be traced to the following causes, vizt., to the erroneous principle hitherto adopted of transporting convicts *for a limited period only*, and also the improper mode of disposing of them, especially the females, after their arrival in the colony.

Failure of  
the convict  
system.Effect on the  
convicts.

In proof of this observation, I beg to submit the following remarks, vizt. :—

1st. That it frequently occurs, and it is especially unfortunate in the case of convicts sentenced only to seven years transportation, that one or even two years of their term shall have elapsed before they leave Europe for the colony; and even when no detention of this sort happens, but the full period of residence is to be completed in the colony, still the term is so comparatively short that few seven-years' convicts apply themselves to pursuits of an industrious reputable nature.

Seven years  
convicts.

\* The reader will find much interesting information on the various systems of currency in vogue under early Governors in Mr. Coleman P. Hymen's *Account of the Coins, Coinages, and Currency of Australia*, Sydney, 1803.

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Morals of the  
prisoners.

2nd. The temptations to a disorderly life are so many, and the facility of indulging in them so great, that most of the convicts of every description, being destitute of any powerful motives to industry, abandon themselves entirely to habits of idleness and debauchery. This evil is materially increased by the custom which prevails of allowing almost every convict who has behaved decently during the voyage, and can exercise any trade or profession for his own support, to be at large in the colony without any special controul or obligation, by which means, if he were destitute of habits of industry before his arrival, he is not likely to acquire them afterwards, and he is also thus afforded the opportunity of unrestrained association with many similar characters, probably former companions in crime.

Female  
convicts.

But there is another cause to which the laxity and depravity of public morals is peculiarly imputable. It will perhaps scarcely be believed that, on the arrival of a female convict ship, the custom has been to suffer the inhabitants of the colony each to select one at his pleasure, not only as servants but as avowed objects of intercourse, which is without even the plea of the slightest previous attachment as an excuse, rendering the whole colony little better than an extensive brothel, and exposing the offspring of these disgraceful connexions to the risk of an example at once infamous and contagious.

Illegitimate  
children.

So prevalent has this practice been that it is estimated there are actually at this time about one thousand illegitimate children in the colony of this description.

Injurious  
influences.

The natural influence of these circumstances on the colony at large must of necessity be highly injurious; but to the convicts themselves it is peculiarly so, especially those whose sentences are approaching a period, since the impression of their speedy emancipation from Colonial bondage makes them more careless of their conduct in the interim, and giving strength to their bad habits and dispositions, renders it almost impossible to keep them within any restraint at all; while their confirmed depravity constitutes their renewed career in England more desperate and dangerous than ever. Hardened in the practice of crime, their residence in New South Wales has included in it so little of the nature of punishment that the fear of undergoing it a second time is scarcely felt; and if the records of the Old Bailey were examined, I am convinced that the most flagrant criminals will be found among those who have returned from transportation; and further, that the influence and example of these miscreants have operated upon others in a degree infinitely more mischievous and extensive, from the futility of the mode in which the sentence of transportation is carried into effect, neither inflicting punishment nor producing reform.

Expirees

Great and extensive, however, as these evils undoubtedly are, I beg to submit the following remedy, which I conceive will gradually and completely counteract them.

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As the law now stands, the power of the Judges will not in any case admit of the passing a sentence for more than fourteen years' transportation. The only instances of convicts being transported for the whole term of life are when His Majesty has personally been pleased to commute the sentence of death in certain cases for perpetual transportation. Now, my wish is that the Judges also should have the discretionary power of passing sentence of transportation for the whole term of life, exercising this power, however, I would beg to repeat, not at all by compulsion, but perfectly and solely by their own option; and I am convinced that under the modifications I am about to point out, this apparently unlimited sentence will hereafter be generally adopted in preference to that of a limited stipulation, for the following reasons:—1st. That in reality the duration of the sentence will actually be shortened; and, 2ndly, that the reform of the criminal will almost certainly be effected. The proof of these facts will be found in the mode I propose to suggest for the disposal of the convicts after their arrival in the colony.

Convicts' sentences.

Life sentences.

It will be recollected that, in addition to the principal settlement of New South Wales, or Port Jackson, there are other dependent settlements, as those at Newcastle, at Port Dalrymple, at the Derwent, and, if not abandoned, at Norfolk Island. By his present authority the Governor can send the convicts to and from all these places at his discretion. I am therefore proposing no extension of his power when I recommend that for all future arrivals of convicts he should arrange to send them in the first instance (according to the nature of their offences) to such one of these dependent settlements where the privations would be greatest and the labour hardest. That after remaining at such place for a given time—say twelve months at least—each convict who had conducted himself properly during such residence should be entitled to claim a certificate of the same, and to be passed on to the next dependent settlement, according to the scale of each in labour and comfort, and receiving in like manner at the second place a similar certificate to the next, and thus gradually entitle himself to arrive at Port Jackson, which should be the highest in the scale of progression. Continuing a certain further time as a servant of the Crown after his arrival in New South Wales, he might then receive a final release from his sentence altogether, and either return to Europe or become a free settler in the colony at his option. Calculating that a term of seven years would be sufficient to carry him through all these gradations, I would allow, for instance, three years at the three dependent settlements and four years at Port Jackson.

The subordinate settlements.

Gradations of labour.

Reforming convicts.

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Advantages  
of plan pro-  
posed.

The equity and advantage of this plan are, in my opinion, clearly manifest for the following reasons :—

- 1st. The certainty of release from his sentence in consequence of good behaviour would give to the convict a most powerful stimulus to exert himself properly.
- 2ndly. It would divide the various degrees of privation and labour which are inseparable from the respective places fairly among all convicts in rotation.
- 3rdly. It would give to the convict those habits of industry and good conduct which when once acquired would, it is to be hoped, be permanent.

Regulating  
conduct of  
prisoners.

Besides this, it would afford the most effectual means of preserving good order in every one of the settlements, since I would propose, as part of the regulations, that in the event of any offence or misconduct committed by a convict, the length of his residence at any one of the settlements before he received his certificate should be increased, or he be sent back a step in the progression, as the case might require.

It would also operate as an useful check upon the free settlers and general inhabitants of all these places, who, for any offence subjecting them to transportation from the colony (which has frequently occurred), would undergo the same progression.

Female  
convicts.

With respect to female convicts, it might not perhaps be practicable to subject them altogether to the same regulation. One thing, however, is decidedly proper, which is, that both in Port Jackson and the dependencies, public asylums should be established for all those who are not living with their husbands, in which they might maintain themselves by their own labour, and after a certain period of good behaviour the single women might have small donations of land and stock from Government as a sort of marriage dower if they had an opportunity to marry and settle reputably.

Protecting  
the  
prisoners.

As a protection to convicts of every description under this arrangement, I would propose that no certificate of good behaviour at any of the places in question should be delayed or refused without complete legal investigation of the matter before a proper tribunal, and that any superintendant of convicts, or such other officer to whose office it might belong, who should be proved to have unjustly withheld his certificate from a convict should be liable to severe punishment.

Reduction of  
sentences.

The natural result, then, of such a plan will be eventually to reduce the term of all transportations to seven years, except in those cases where further misconduct renders an extension of the sentence necessary. The only objection which appears of any

weight is the expence which would be incurred by removing the convicts from place to place in this rotation ; but this will be obviated if we consider—

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- 1st. That a single ship making an annual voyage, and touching at each place in rotation from Port Jackson, would, from the short distance of these places respectively, soon make the circuit ; and as this conveyance would carry the communications which would otherwise be sent to or from the dependencies by other and perhaps special modes, it is fair to presume that the extra expence would be trifling.
- 2nd. Even if the extra expence should be considerable, will it not be amply repaid by the increased quantity and value of public labour performed by the convicts at the respective settlements, independently of the general improvements in their character ?

Intercolonial communication.

Convict labour.

Perhaps it may be said that all these results are to be produced by the Governor's merely establishing such a scale of progressive residence for the convicts without at all altering the law of transportation. To this I answer, that in the case of seven-years' convicts, as before stated, there is scarcely any motive to good behaviour at all, and with those sentenced for fourteen years it could not operate so powerfully as if the length of the term was altogether dependent on their good conduct ; and, at all events, let it be considered that it is not desired to make this construction of the law imperative, but discretional with the Judges, who will only act upon it in cases where they think it will be advisable and effectual.

Sentences of prisoners.

I will only add that in this plan I am favor'd with the concurrence of the Recorder of London, who will be allowed to be an important authority in such a question.

*On the advantage of appointing an Agent for the Colony.*—Among other circumstances which, in my opinion, would materially benefit this infant colony, and facilitate the future arrangement of its concerns with Government at Home, is the appointment of some gentleman in this country, who, by his information on the subject, is qualified, and by the connection he may have, or the interest he may feel in the colony, is disposed to perform with fidelity and attention the duties of public agent for the colony. The advantages of such an arrangement to our other colonies is well-known, and I believe at least for the West Indies it is invariably adopted. It does not in the smallest degree interfere with the official communications between the Colonial Government and His Majesty's Ministers, while on all other points which the Colonial Government may chuse to pass through his hands, the agent will frequently be enabled to save much trouble both to the colony and Government at Home, by preparing and submitting the details on which Ministers will afterwards decide. But the duties and advantages of this appointment are too well known to require any further discussion. I will only

An Agent-General.

1800 add, that if you conceive my general information respecting the colony would render me a competent, as I am certain the interest I feel in its concerns would render me a zealous agent for the colony, I should be happy to accept the appointment free of all emolument whatever, merely requiring the reimbursement of any actual expence I might incur, which might be defrayed by the colony itself in a method, which I will explain to you, of the most simple nature.

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Plummer  
offers to act.

Town grants  
at Sydney.

*On Freehold Tenures in the Town of Sydney, and Grants of Land generally.*—The preceding observations chiefly apply to matters of a political nature. There is one of a municipal description which I cannot avoid submitting to you before I conclude—it is that there should be vested in the Governor of New South Wales a power to grant freehold tenures from the Crown within the town of Sydney. Hitherto, for what reason I cannot well conceive, no grants of land for building within the town have been made for a longer term than fourteen years. The consequence has been that in most cases the private buildings are of a mean and perishable description. In some instances, however, individuals have been induced to expend large sums on houses and stores which, after a few years, would lapse to the Crown. Now, it never can be the wish of Government either to check the investment of money in building, on the one hand, or on the other to deprive individuals of that which they had actually expended. I would therefore submit the propriety of permitting the Governor, not only to grant freehold lands for building in future, but to commute the present leasehold tenures for freehold on the payment of an adequate fine. This privilege might also have annexed to it other stipulations, vizt., for instance, that when any building erected on leasehold land was so situated as to obstruct the public street, or be otherwise of public annoyance, that the granting of the freehold tenure might be on condition of remedying this evil.

Transfer of  
leaseholds  
to freeholds.

Building  
conditions.

Another condition of freehold grants might be to stipulate for the expenditure of a certain sum in buildings.

And in all cases the freehold tenures might be so conditioned as to provide for the beauty and convenience of the town, in the erection of buildings, both as to their dimensions and value.

Improve-  
ments.

A similar principle might also apply to grants of land generally throughout the colony, obliging every proprietor under these grants to have, within a given period after the commencement of the grant, a certain quantity of the same in arable—or if in pasture, then with a certain quantity of stock—thus preventing the continuance of an evil very prevalent in the colony, of procuring large grants of land, and afterwards leaving them unoccupied.\*

\* \* \* \* \*

I have, &c.,

THO'S W<sup>M</sup> PLUMMER.

\* *Marginal Note.*—"The proof of this injurious practice will be found in the fact, that out of one hundred and fifty thousand acres located by the Crown, scarcely seventeen thousand are in cultivation."

LIEUTENANT-GOVERNOR COLLINS TO GOVERNOR BLIGH.

1809

Sir,

Hobart Town, 4th May, 1809.

4 May.

Having convened the officers of the settlement under my command for the purpose of submitting to them the request contained in your letter of yesterday's date, that I would assemble the inhabitants and cause your proclamation of the 28th ultimo to be read to them at the bell, I have the honor to acquaint you that it appearing to them and to myself highly improper to give the authority of this Government to the publication of a proclamation wherein that of the Lieut't-Governor of the territory, to whose orders we are at present subject, and from whom alone we can expect to receive supplies, is stated to be of the most rebellious and unlawful nature, I must therefore decline complying with your request.

Collins  
consults  
with officers.

Suffer me to draw your recollection to a declaration more than once made by you to myself and others since your arrival among us, that you came not to interfere with the concerns of this settlement; and I trust you will see that, by taking the step you require of me, I shall not only commit myself with the Lieutenant-Governor of the territory, who, though junior to myself in point of military rank, yet in his civil capacity can give me orders, but likewise involve this settlement in all the evil which may follow such a dereliction of my duty.

Bligh's in-  
terference.

In stating this determination, I beg you to be assured that neither the officers nor myself will ever be wanting in those sentiments of respect toward your Excellency, with which I have the honor to remain,

Yours, &amp;c.,

DAVID COLLINS.

VISCOUNT CASTLEREAGH TO THE TREASURY COMMISSIONERS.

My Lords,

Downing-street, 6th May, 1809.

6 May.

The King having been pleased to appoint Ellis Bent, Esq., by warrant bearing date the 1st day of Jan. last, to be His Majesty's Deputy-Judge Advocate in the settlement of New South Wales, in the room of Mr. Atkins, who is ordered to return to England, I am to desire that your Lordships will direct the agent for that settlement to issue to him so much salary as may be due up to the fifth day of April last; and further, to advance to him six months' salary from the said 5th day of April, to enable him to defray the expences of his outfit and voyage to that distant colony.

Ellis Bent  
appointed  
Judge-  
Advocate.

I am, &amp;c.,

CASTLEREAGH.

GOVERNOR BLIGH TO LIEUTENANT-GOVERNOR COLLINS.

Sir,

His Majesty's Ship Porpoise, Derwent, 7th May, 1809.

7 May.

I have received your letter of the 4th instant (in answer to my desire you would order my proclamation to be publicly read), the purport of which implies that you will not obey any

Collins and  
Bligh.

1809 order I may give you that is likely to meet with the disapproval  
7 May. of Colonel Paterson, whom you consider yourself subject to as the Lieutenant-Governor of the territory, although he holds his present power by having sanctioned and united in a mutiny and rebellion, and treated his Commander-in-Chief in a most unwarrantable manner by ordering him to be dragged from his imprisonment at Government House to closer confinement in a subaltern's barrack.

Collins sides  
with  
Paterson.

You have heard read a *Sydney Gazette* proscribing, as therein stated, not only myself but my family and all on board His Majesty's ship, which is a most daring outrage to my command and to the British Navy ; yet, notwithstanding this, you assign, in a marked manner, that your reason for not complying with my desire is in part owing to my deeming the declaration of Colonel Paterson, contained in the *Gazette*, to be of a rebellious and unlawful nature ; and you also assign, as the cause of such reasoning, that he is the only person from whom you can have supplies. On this I therefore have to remark that most probably you will not receive any from him, as we are daily expecting succours from England, and, at all events, with the provisions you have at present, and the assistance of kangaroo, if necessary, there can be no risk of famine.

Bligh's  
authority.

On these subjects you have had my opinion and the fullest information. In my character as Captain-General and Governor-in-Chief of this territory, I told you and others I should act as if I had come from Sydney to visit the settlement prior to the rebellion, but would not interfere in your method of carrying on its concerns ; such declaration from me in that capacity I should have thought impossible to have been misunderstood.

I am, &c.,  
W<sup>m</sup> BLIGH.

#### GOVERNOR MACQUARIE'S COMMISSION.

George R.

8 May. GEORGE the Third, &c., to our trusty and well-beloved Lachlan Macquarie, Esquire, greeting :

Bligh's  
commission  
recited.

WHEREAS we did, by our letters patent, under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the 24th day of May, in the 45th year of our reign, constitute and appoint our trusty and well-beloved W<sup>m</sup> Bligh, Esq<sup>re</sup>, to be our Captain-General and Governor-in-Chief in and over our territory called New S. Wales, extending from the northern cape or extremity of the coast called Cape York, in the latitude of 10 deg. 37 min. south, to the southern extremity of the said territory of New S. Wales, or South Cape, in the latitude of 43 deg. 39 min. south, and of all the country inland to the westward as far as the 135 deg. of east longitude, reckoning from the meridian of Greenwich,

Territorial  
limits.

including all the islands adjacent in the Pacific Ocean within the latitudes aforesaid of 10 deg. 37 min. south, and of 43 deg. 39 min. south, and of all towns, garrisons, castles, forts, and all other fortifications or other military works which might be erected upon the said territory or any of the said islands, for and during our will and pleasure, as by the said recited letters patent, relation being thereunto had may more fully and at large appear. Now know you that we have revoked and determined, and by these presents do revoke and determine, the said recited letters patent, and every clause, article, and thing therein contained.

1809

8 May.

And further know you that we, reposing especial trust and confidence in the prudence, courage, and loyalty of you, the said L. McQuarie, of our especial grace, certain knowledge, and mere motion, have thought fit to constitute and appoint you, the said L. McQuarie, to be our Captain-General and Governor-in-Chief in and over our territory called New S. Wales, extending from the northern cape or extremity of the coast called Cape York, in the latitude of 10 deg. 37 min. south, to the southern extremity of the said territory of New S. Wales, or South Cape, in the latitude of 34 deg. 39 min. south, and of all the country inland to the westward as far as the 135th deg. of east longitude, reckoning from the meridian of Greenwich, including all the islands adjacent in the Pacific Ocean within the latitudes aforesaid, of 10 deg. 37 min. south and 43 deg. 39 min. south, and of all the towns, garrisons, castles, forts, and all other fortifications or other military works which are or may be hereafter erected upon the said territory, or any of the said islands.

Governor  
Macquarie.Territorial  
limits  
recited.

And we do hereby require and command you to do and execute all things in due manner that shall belong to your said command, and the trust we have reposed in you, according to the several powers and directions granted or appointed you by this present Commission, and the instructions and authorities herewith given to you, or by such further powers, instructions, and authorities as shall at any time hereafter be granted or appointed you under our signet and sign manual, or by our order in our Privy Council, or by us thro' one of our Principal Secretaries of State.

Macquarie's  
Royal in-  
structions.

And our will and pleasure is that you, the said L. McQuarie, after the publication of these our Letters Patent, do in the first place take the oaths appointed to be taken by an Act passed in the first year of the reign of King Geo. the 1st, intituled "An Act for the further security of His Majesty's person and government and the succession of the Crown in the heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales and his open and secret abettors," as altered and explained by an Act in the 6th year of our reign, intituled "An Act for altering the oath of abjuration and the assurance," and for amending so much of an Act of the 7th year

Oaths to be  
taken as  
required by  
statutes.

1800

8 May.

of her late Majesty, Queen Anne, intituled "An Act for the improvement of the union of the two kingdoms as after the time therein limited requires the delivery of certain lists and copies therein mentioned to persons indicted of high treason or misprision of treason."

Popish recusants.

As, also, that you make and subscribe the declaration mentioned in an Act of Parliament made in the 25th year of the reign of King Chas. 2nd, intituled "An Act for preventing dangers which may happen from Popish recusants."

Administration of justice.

And, likewise, that you take the usual oath for the due execution of the office and trust of our Captain-General and Governor-in-Chief in and over our said territory and its dependencies for the due and impartial administration of justice.

Trade and plantations.

And, further, that you take the oath required to be taken by Governors in the plantations, to do their utmost that the several laws relating to trade and plantations be duly observed, which said oaths and declaration our Judge-Advocate in our said territories is hereby required to tender and administer unto you, and, in your absence, to our Lt.-Governor, if there be any upon the place.

Lieutenant-Governor and Judge-Advocate.

All which being duly performed, you shall administer unto our Lt.-Governor, if there be any upon the place, and to our Judge-Advocate, the oaths mentioned in the first-recited Act of Parliament, altered as above; as, also, cause them to make and subscribe the aforementioned declaration.

The great seal of the colony.

And we do hereby authorize and empower you to keep and use the Public Seal which will be herewith delivered to you, or shall hereafter be sent to you, for sealing all things whatsoever that shall pass the Great Seal of our said territory and its dependencies.

Power to administer oaths,

We do, further, give and grant unto you, the said L. McQuarie, full power and authority from time to time and at any time hereafter, by yourself, or by any other, to be authorized by you in that behalf, to administer and give the oaths mentioned in the said recited Act of Parliament, altered as above, to all and every such person or persons as you shall think fit who shall at any time or times pass into our said territory and its dependencies, or shall be resident or abiding therein.

appoint officers,

And we do hereby authorize and empower you to institute and appoint justices of the peace, coroners, constables, and other necessary officers and Ministers in our said territory and its dependencies, for the better administration of justice and putting the law in execution, and to administer, or cause to be administered unto them, such oath or oaths as are usually given for the execution and performance of offices and places.

and pardon offenders.

And we do hereby give and grant unto you full power and authority, where you shall see cause, or shall judge any offender or offenders in criminal matters or for any fines or forfeitures due

unto us fit objects of our mercy, to pardon all such offenders, and to remit all such offences, fines, and forfeitures (treason and wilful murder only excepted), in which cases you shall likewise have power, upon extraordinary occasions, to grant reprieves to the offenders until and to the intent our Royal pleasure may be known therein.

1800  
8 May.

And whereas it belongeth to us, in right of our Royal prerogative, to have the custody of idiots and their estates, and to take the profits thereof to our own use, finding them necessaries; and also to provide for the custody of lunatics and their estates, without taking the profits thereof to our own use.

The custody of lunatics.

And whereas, while such idiots and lunatics and their estates remain under our immediate care, great trouble and charges may arise to such as shall have occasion to resort unto us for directions respecting such idiots and lunatics and their estates, we have thought fit to entrust you with the care and commitment of the custody of the said idiots and lunatics and their estates.

Lunatics' estates.

And we do by these presents give and grant unto you full power and authority, without expecting any further warrant from us, from time to time to give, order, and warrant for the preparing of grants of the custody of such idiots and lunatics and their estates as are or shall be found by inquisitions thereof to be taken by the Judges of our Court of Civil Jurisdiction, and thereupon to make and pass grants and commitments under our Great Seal of our said territory of the custodies of all and every such idiots and lunatics and their estates to such person or persons suitors in that behalf as, according to the rules of law and the use and practice in these and the like cases, you shall judge meet for that trust, the said grants and commitments to be made in such manner and form, as nearly as may be, as hath been heretofore used and accustomed in making the same under the Great Seal of Great Britain, and to contain such apt and convenient provisions and agreements on the parts of the committees and grantees to be performed, and such security to be by them given, as shall be requisite and needful.

Lunatics' estates to be placed in trust.

And we do hereby give and grant unto you, the said L. McQuarie, by yourself or by your captains or commanders, by you to be authorized, full power and authority to levy, arm, muster, command, and employ all persons whatsoever residing within our said territory and its dependencies under your government, and as occasion shall serve, to march from one place to another, or to embark them for the resisting and withstanding all enemies, pirates, and rebels, both at sea and land, and such enemies, pirates, and rebels, if there shall be occasion to pursue and prosecute in or out of the limits of our said territory and its dependencies and (if it shall so please God) them to vanquish, apprehend, and take, and being taken according to law to put to death or keep and preserve alive

Power to raise troops.

1809	at your discretion, and to execute martial law in time of invasion
8 May.	or at other times when by law it may be executed and to do and
Martial law.	execute all and every other thing and things which to our
	Captain-General and Governor-in-Chief doth or ought of right to
Fortifica- tions.	belong ; and we do hereby give and grant unto you full power and
	authority to erect, raise, and build in our said territory and its
	dependencies such and so many forts, platforms, castles, cities,
	boroughs, towns, and fortifications as you shall judge necessary,
	and the same or any of them to fortify and furnish with ordnance
	and ammunition, and all sorts of arms fit and necessary for the
	security and defence of the same, and the same again or any of
	them to demolish or dismantle as may be most convenient.
Mutiny at sea.	And forasmuch as divers mutinies and disorders may happen by
	persons shipped and employed at sea during the time of war, and
	to the end that such persons as shall be shipped and employed
	at sea during the time of war may be better governed and ordered,
	we do hereby give and grant unto you, the said L. McQuarie, full
	power and authority to constitute and appoint captains, lieu-
	tenants, masters of ships, and other commanders and officers,
	and to grant to such captains, lieutenants, masters of ships, and
	other commanders and officers commissions to execute the law
	martial during the time of war, according to the directions of an
	Act passed in the 22nd year of the reign of our late Royal grand-
Suppression of muti- nies.	father, intituled "An Act for amending, explaining, and reducing
	into one Act of Parliament the laws relating to the government of
	His Majesty's ships, vessels, and forces by sea" as the same is
	altered by an Act passed in the 19th year of our reign, intituled
	"An Act to explain and amend an Act made in the 22nd year
	of the reign of His late Majesty King Geo. the 2nd, intituled 'An
	Act for amending, explaining, and reducing into one Act of Par-
	liament the laws relating to the government of His Majesty's
Punishment of muti- neers.	ships, vessels, and forces by sea," and to use such proceedings,
	authorities, punishments, corrections, and executions upon any
	offender or offenders who shall be mutinous, seditious, disorderly,
	or any way unruly either at sea or during the time of their abode
	or residence in any of the ports, harbours, or bays of our said
	territory, as the case shall be found to require, according to
	martial law and the said directions during the time of war as
	aforesaid.
No jurisdic- tion	Provided that nothing herein contained shall be construed to
	the enabling you or any by your authority to hold plea or have
	any jurisdiction of any offence, cause, matter, or thing com-
	mitted or done upon the high sea or within any of the havens,
	rivers, or creeks of our said territory and its dependencies under
	your government by any captain, commander, lieutenant, master,
	officer, seaman, soldier, or other person whatsoever, who shall be
over the Navy.	in active service and pay in or on board any of our ships of war

or other vessels acting by immediate commission or warrant from our Commiss'rs for executing the office of our High Admiral of our said United Kingdom of Great Britain and Ireland, or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being, under the seal of our Admiralty; but that such captain, commander, lieutenant, master, officer, seaman, soldier, or other person so offending shall be left to be proceeded against and tried as the merits of their offences shall require, either by commission under our Great Seal of this Kingdom as the statute of the 28th of King Henry the 8th directs, or by commission from our Comm'rs for executing the office of our High Admiral of our United Kingdom of Great Britain and Ireland, or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being according to the aforesaid Act, intituled "An Act for amending, explaining, and reducing into one Act of Parliament the laws relating to the government of His Majesty's ships, vessels, and forces by sea," as the same is altered by an Act passed in the 19th year of our reign, intituled "An Act to explain and amend an Act passed in the 22nd year of His late Majesty King Geo. the 2nd, intituled 'An Act for amending, explaining, and reducing into one Act of Parliament the laws relating to the government of His Majesty's ships, vessels, and forces by sea.'"

1809

8 May.

Officers and crew

to be dealt with by British authorities.

Provided nevertheless that all disorders and misdemeanours committed on shore by any captain, commander, lieutenant, master, officer, seaman, soldier, or any other person whatsoever belonging to any of our ships of war or other vessels acting by immediate commission or warrant from our Commiss'rs for executing the office of our High Admiral of our United Kingdom of Great Britain and Ireland, or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being under the seal of our Admiralty, may be tried and punished according to the laws of the place where any such disorders, offences, and misdemeanours shall be committed on shore, notwithstanding such offender be in our actual service and borne in our pay on board any such our ships of war or other vessels acting by immediate commission from our Commissioners for executing the office of our High Admiral of our United Kingdom of Great Britain and Ireland, or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being as aforesaid, so as he shall not receive any protection for the avoiding of justice for such offences committed on shore from any pretence of his being employed in our service at sea.

Offences committed on shore.

Punishable under *lex loci*.

Our will and pleasure is that all public monies which shall be raised be issued out by warrant from you, and disposed of by you for the support of the Government, or for such other purposes as shall be particularly directed, and not otherwise.

Public money's.

1800

8 May.

Power to  
alienate  
Crownlands.

And we do hereby give and grant unto you full power and authority to agree for such lands, tenements, and hereditaments as shall be in our power to dispose of, and them to grant to any person or persons upon such terms and upon such moderate quit-rents, services, and acknowledgements to be thereupon reserved unto us according to such instructions as shall be given to you under our sign-manual, which said grants are to pass and be sealed by our seal of our said territory and its dependencies, and, being entered upon record by such officer or officers as you shall appoint thereunto, shall be good and effectual in law against us, our heirs and successors.

Municipal  
functions.

And we do hereby give you, the said L. McQuarie, full power to appoint fairs, marts, and markets, as also such and so many ports, harbours, bays, havens, and other places for the convenience and security of shipping, and for the better loading and unloading of goods and merchandizes, as by you shall be thought fit and necessary.

The Lieuten-  
ant-Governor.

And we do hereby require and command all officers and Ministers, civil and military, and all other inhabitants of our said territory and its dependencies, to be obedient, aiding and assisting unto you, the said L. McQuarie, in the execution of this our Commission, and of the powers and authorities herein contained; and in case of your death or absence out of our said territory, to be obedient, aiding, and assisting unto such person as shall be appointed by us to be our L't-Governor or Commander-in-Chief of our said territory and its dependencies, to whom we do therefore, by these presents, give and grant all and singular the powers and authorities herein granted, to be by him executed and enjoyed during our pleasure, or until your arrival within our said territory and its dependencies.

In case of  
vacancyofficer next  
in rank toadminister  
Govern-  
ment.

And if upon your death or absence out of our said territory and its dependencies there be no person upon the place commissioned or appointed by us to be our L't-Governor or Commander-in-Chief of our said territory and its dependencies, our will and pleasure is that the officer highest in rank who shall be at the time of your death or absence upon service within the same, and who shall take the oaths and subscribe the declaration appointed to be taken and subscribed by you, or by the Commander-in-Chief of our said territory and its dependencies, shall take upon him the administration of the Government, and execute our said Commission and instructions, and the several powers and authorities therein contained, in the same manner and to all intents and purposes as other our Lieut.-Governor or Commander-in-Chief should or ought to do in case of your absence, until your return, or in all cases until our further pleasure be known therein.

Macquarie  
to hold office  
during  
pleasure.

And we do hereby declare, ordain, and appoint that you, the said Lachlan Macquarie, shall and may hold, execute, and enjoy

the office and place of our Captain-General and Governor-in-Chief in and over our said territory and its dependencies, together with all and singular the powers and authorities hereby granted unto you, for and during our will and pleasure: In witness whereof, we have caused these, our letters to be made patent. Witness ourself at Westminster, the 8th day of May, 1809, in the forty-ninth year of our reign.

1809

8 May.

By writ of Privy Seal.

BATHURST & BATHURST.

GOVERNOR MACQUARIE'S INSTRUCTIONS.

George R.

INSTRUCTIONS for our trusty and well-beloved Lachlan Macquarie, Esquire, our Captain-General and Governor-in-Chief in and over our territory of New South Wales and its dependencies, or to the Lieutenant-Governor or Commander-in-Chief of the said territory for the time being.

9 May.

1. With these, our Instructions, you will receive our Commission under our Great Seal, constituting and appointing you to be our Captain-General and Governor-in-Chief of our territory called New South Wales, extending from the northern cape or extremity of the coast called Cape York, in the latitude of ten degrees thirty-seven minutes south, to the southern extremity of the said territory of New South Wales, or South Cape, in the latitude of forty-three degrees thirty-nine minutes south, and of all the country inland to the westward, as far as the one hundred and thirty-fifth degree of east longitude, reckoning from the meridian of Greenwich, including all the islands adjacent in the Pacific Ocean, within the latitudes aforesaid of  $10^{\circ} 37'$  south and  $43^{\circ} 39'$  south, and of all towns, garrisons, castles, forts, and all other fortifications or other military works which now are or may be hereafter erected upon the said territory or any of the said islands, with directions to obey such orders and instructions as shall from time to time be given to you under our signet and sign manual, or by our order in our Privy Council. You are, therefore, to take upon you the execution of the trust we have reposed in you; and as soon as conveniently may be, with all due solemnity, to cause our said Commission under our Great Seal of the United Kingdom of Great Britain and Ireland, constituting you our Governor and Commander-in-Chief as aforesaid, to be read and published.

Macquarie's  
commission.

Territorial  
limits.

2. It is our Royal will and pleasure that you do pursue such measures as are necessary for the peace and security of the same, and for the safety and preservation of the public stores and stock of every description, and that you do proceed without delay to the cultivation of the lands, the curing of fish, and other provisions, distributing the convicts for those and other purposes in such

General  
instruc-  
tions.

- 1809 manner and under such inspectors or overseers and under such regulations as may appear to you to be necessary and best calculated for procuring supplies of grain and ground provisions, and for curing fish and other provisions, and for rendering their services most useful to the community. The assortment of tools and utensils which have been from time to time provided for the use of the convicts and other persons who compose the said settlement are to be distributed according to your discretion, guided by such further instructions as you may receive from us through one of our Principal Secretaries of State, and according to the employment assigned to the several persons. In the distribution, however, you will use every proper degree of economy, and be careful that the Commissary do transmit an account of the issues from time to time to the Commissioners of our Treasury and to one of our Principal Secretaries of State, to enable them to judge of the propriety or expediency of granting farther supplies. The clothing of the convicts, and the provisions issued to them and the civil and military establishments, must be accounted for in the same manner, pursuant to such instructions in that behalf as you from time to time shall receive from the Commissioners of our Treasury or one of our Principal Secretaries of State.
- Tools and implements. 3. And whereas the Commissioners of our Admiralty have commissioned certain of our ships to be employed at our said settlement under your orders for the purpose of supplying the same with live-stock and other necessaries from such places as shall be found most convenient for that purpose, you are, in consequence thereof, to consider the providing such supplies as an object of the first importance, and you are to follow, without delay, such directions in the execution thereof as you shall from time to time receive from us under our sign manual, or from one of our Principal Secretaries of State in that behalf. And all such live-stock as shall be brought into our said settlement by means of our aforesaid ships, or otherwise at the public expence, are to be considered as public stock and for the use of the settlers and emancipated convicts, being settlers, and under no pretext whatever to be sold, given away, made over, or transferred by them, or any of them, to whom such live-stock shall be granted by you without your special leave and licence in writing first had and obtained for that purpose, on pain of forfeiting the same, which shall in such case revert and be added to the public stock of our said settlement.
- Commissary's accounts. Importation of live stock. for use of settlers. Preservation of live stock. 4. And as the increase of the stock of animals must depend entirely upon the measures you may adopt for their preservation, you are hereby particularly charged and directed to be extremely cautious in preventing all cattle, sheep, hogs, &c. (which are to be preserved as much as possible for propagating the breed of such animals) from being slaughtered or taken away from our said settlement on any pretext whatsoever by any vessels or craft which

shall come there, until a competent stock may be acquired to admit of your supplying the settlement from it with animal food without having further recourse to the places from whence such stock may have originally been obtained. 1809  
9 May.

5. It is our will and pleasure that the productions of all descriptions acquired by the labour of the convicts shall be considered as a public stock, which we so far leave to your disposal that such parts thereof as may be requisite for the subsistence of the said convicts and their families, or the subsistence of the civil and military establishment of the settlement, may be applied by you to that use. The remainder of such productions you will reserve as a provision for such further number of convicts as you may expect will from time to time be sent from hence to be employed under your direction in the manner pointed out in these our instructions to you ; and you are always to take care, on the arrival of such convicts, to obtain an assignment to you, or the Governor-in-Chief for the time-being, from the masters of the ships bringing the said convicts of the servitude of such convicts whose services are assigned, either for the remainder of the terms which shall be specified in their several sentences or orders of transportation, or for such less time as shall be specified in their respective sentences in that behalf. Product of convicts' labour.  
Assignments from masters of ships.

6. And whereas we are desirous that some further information should be obtained at the several ports or harbours upon the coast and the islands contiguous thereto within the limits of your Government, you are, whenever any of our said ships can be conveniently spared for that purpose, to send one or more of them upon that service. You are to endeavour by every possible means to extend your intercourse with the natives, and to conciliate their affections, enjoining all our subjects to live in amity and kindness with them. And if any of our subjects shall wantonly destroy them, or give them any unnecessary interruption in the exercise of their several occupations, it is our will and pleasure that you do cause such offenders to be brought to punishment according to the degree of the offence. You will endeavour to procure from time to time accounts of the numbers of natives inhabiting the neighbourhood of our said settlement, and report your opinion to one of our Secretaries of State in what manner the intercourse with these people may be turned to the advantage thereof. Exploration of the coast.  
The natives to be conciliated.

7. And it is further our Royal will and pleasure that you, by all proper methods, enforce a due observance of religion and good order among the inhabitants of the said settlement, and that you do take particular care that all possible attention be paid to the due celebration of public worship. Religion.

8. And whereas it hath been represented to us that great evils have arisen from the unrestrained importation of spirits into our said settlement from vessels touching there, whereby both the The importation of spirits.

**1800** settlers and convicts have been induced to barter and exchange  
**9 May.** their live stock and other necessary articles for the said spirits, to their particular loss and detriment, as well as to that of our said settlement at large, we do, therefore, strictly enjoin you, on pain of our utmost displeasure, to order and direct that no spirits shall be landed from any vessel coming to our said settlement without your consent, or that of our Governor-in-Chief for the time-being, previously obtained for that purpose, which orders and directions you are to signify to all captains or masters of ships immediately on their arrival at our said settlement; and you are at the same time to take the most effectual measures that the said orders and directions shall be strictly obeyed and complied with.

Eman-  
cipists

to be allowed  
grants of  
land.

A residential  
condition.

Provisions  
and tools to  
be allowed  
emancipists.

9. And whereas we have by our Commission, bearing date 24th day of May, 1805, given and granted unto you full power and authority to emancipate and discharge from their servitude any of the convicts under your superintendence who shall from their good conduct and a disposition to industry be deserving of favor, it is our will and pleasure that in every such case you do issue your warrant to the Surveyor of Lands to make surveys of and mark out in lots such lands upon the said territory as may be necessary for their use; and when it shall be done, that you do pass grants thereof with all convenient speed to any of the said convicts so emancipated, in such proportions, and under such conditions and acknowledgements, as shall hereafter be specified, vizt: To every male shall be granted 30 acres of land, and in case he shall be married 20 acres more; and for every child who may be with them at the settlement at the time of making the said grant, a further quantity of ten acres, free of all fees, taxes, quit-rents, or other acknowledgements whatsoever for the space of ten years: Provided that the person to whom the said land shall have been granted shall reside within the space, and proceed to the cultivation and improvement thereof, reserving only to us such timber as may be growing, or to grow hereafter, upon the said land, which may be fit for naval purposes, and an annual quit-rent of sixpence for every thirty acres after the expiration of the term or time before mentioned. You will cause copies of such grants as may be passed to be preserved, and make a regular return of the said grants to the Commissioners of our Treasury and the Lords of the Committee of our Privy Council for Trade and Plantations.

10. And whereas it is likely to happen that the convicts who may, after their emancipation, in consequence of this instruction, be put in possession of lands, will not have the means of proceeding to their cultivation without the public aid, it is our will and pleasure that you do cause every such person you may so emancipate to be supplied with such a quantity of provisions as may be sufficient for the subsistence of himself, and also of his family, until such a time as their joint labour may reasonably be expected

to enable them to provide for themselves, together with an assortment of tools and utensils, and such a proportion of seed grain, cattle, sheep, hogs, &c., as may be proper, and can be spared from the general stock of the settlement. 1800  
9 May.

11. And whereas it is our Royal intention that every sort of intercourse between our said settlement, or other places, which may be hereafter established on the coast of New South Wales and its dependencies, and the settlements of our East India Company, as well as the coast of China and the islands situated in that part of the world to which any intercourse has been established by any European nation, should be prevented by every possible means, it is our Royal will and pleasure that you do not upon any account allow craft of any sort to be built for the use of private individuals which might enable them to effect such intercourse, and that you do prevent any vessels which may at any time hereafter arrive at the said settlement from any of the ports beforementioned from having communication with any of the inhabitants residing within your government without first receiving especial permission from you for that purpose. The East India Company.  
Intercourse with India.

12. And whereas certain of our subjects now resident within our said settlement, and others from hence or from other parts of our dominions, may be desirous of becoming settlers in our said settlement, our will and pleasure is that in case such persons shall apply to you for grants of land, you do afford them every encouragement that can be given in that undertaking without subjecting the public to expence, and that grants of land to such amount as you shall judge proper shall be made out for each person applying, not exceeding 100 acres over and above the quantity hereinbefore directed to be granted to such convicts as shall be emancipated or discharged from their servitude, free of all fees, taxes, quit-rents, and other acknowledgements for the space of ten years, but after the expiration of that time to be liable to an annual quit-rent of one shilling for every fifty acres. Encouragement to free settlers.

13. It is nevertheless our Royal intention, in cases of any peculiarly meritorious settler, or well-deserving emancipated convict becoming a settler as aforesaid, that you shall be at liberty to enlarge the said grants so respectively to be made to such settler or emancipated convict as aforesaid, by the addition of such further number of acres to be granted to them respectively as you in your discretion shall judge proper, subject, nevertheless, to our approbation thereof, upon your transmitting to one of our Principal Secretaries of State, which you are hereby directed to do by the first opportunity, your reasons for making the same. Special cases.

14. And whereas such persons as are or may become settlers upon our said continent of New South Wales, or the said islands dependent thereupon, may be desirous of availing themselves of the labor of part of the convicts who are or may be sent there, it Assigned servants.

1809 is our will and pleasure that in case there should be a prospect  
 9 May. of their employing any of the said convicts to advantage, that you assign to each grantee the service of any number of them that you may judge sufficient to answer their purpose on condition of their maintaining, feeding, and clothing such convicts in such manner as shall appear satisfactory to you, or to our Governor of New South Wales for the time-being.

Land grants. 15. You are to take care that all grants to be given of lands in our said continent or islands be made out in due form, and that the conditions required by these our instructions be particularly and expressly mentioned in the respective grants, that the same may be properly registered, and that regular returns thereof be transmitted by the proper officers to our Commissioners of our Treasury, and to the Committee of our Privy Council appointed for all matters of trade and foreign plantations, within the space of twelve months after the passing of such grant.

Good and bad land. 16. It is also our will and pleasure that in all grants of land to be made by you as aforesaid, regard be had to the profitable and unprofitable acres, so that each grantee may have a proportionable number of one sort and of the other, as likewise that the breadth of each tract to be hereafter granted be one-third of the length of such tract, and that the length of such tract do not extend along the banks of any bay or river, but into the mainland, that thereby the said grantees may have each a convenient share of what accommodation the said harbour or rivers may afford for navigation or otherwise.

Crown reserves. 17. It is also our will and pleasure that between every thousand acres of land so to be allotted to settlers or emancipated convicts, being settlers as aforesaid, you do reserve not less than five hundred acres adjacent thereto for the benefit of us, our heirs and successors, which spaces so reserved you are not to grant without our special direction and licence; but you are at liberty to lease the same for any term not exceeding fourteen years, and on such terms and conditions as you shall judge advantageous to our service, subject to such orders as shall be given to you in that behalf under our sign manual, or by one of our Principal Secretaries of State.

Townships 18. And whereas it has been found by experience that the settling of planters in townships hath very much redounded to their advantage, not only with respect to the assistance they have been able to afford each other in their civil concerns, but likewise with regard to their security, you are therefore to lay out townships of a convenient size and extent in such places as you in your discretion shall judge most proper, having, as far as may be, natural boundaries extending up into the country, and comprehending a necessary part of the sea coast where it can be conveniently had.

and towns. 19. You are also to cause a proper place in the most convenient part of each township to be marked out for the building of a town-

sufficient to contain such a number of families as you shall judge proper to settle there, with town and pasture lots convenient to each tenement, taking care that the said town be laid out upon or as near as conveniently may be to some navigable river or the sea coast; and you are also to reserve to us proper quantities of land in such township for the following purposes, vizt., for erecting fortifications and barracks or for other military or naval services, and more particularly for the building a town-hall and such other public edifices as you shall deem necessary, and also for the growth and production of naval timber if there are any woodlands fit for that purpose.

20. And it is our further will and pleasure that a particular spot in or as near each town as possible be set apart for the building of a church, and four hundred acres adjacent thereto allotted for the maintenance of a minister, and two hundred for a schoolmaster.

21. And whereas it is necessary that a reasonable compensation shall be made to the Surveyor-General of our lands for surveying and laying out the said lands for the use of such persons who may be disposed to become settlers in the said continent or islands dependent thereupon, we have thought fit to establish the Table of Fees hereunto annexed, which you are to allow him to demand from all persons whatsoever, excepting the non-commissioned officers and men of the detachment of our Marine Corps, or to the convicts emancipated or discharged, who are not to be subjected to the payment of such fees.

22. You are to cause the above mentioned Table of Fees to be hung up in one of the most public places, that all persons concerned may be apprized of the charges which may be demanded from them on their taking up lands within the said continent or islands dependent thereon.

Given at our Court at Saint James's, the 9th day of May, 1809, in the 49th year of our reign.

G.R.

#### LIST OF FEES UPON GRANTS OF LAND.

<i>Governor's Fees.</i>								Governor's fees.
				£	s.	d.		
For the Great Seal, to every grant not exceeding 1,000 acres ...				0	5	0		
For all grants exceeding 1,000 acres, for every 1,000 each grant contains ...				0	2	6		
For a licence of occupation ...				0	5	0		
<i>Secretary's Fees.</i>								Secretary's fees.
				£	s.	d.		
For every grant and passing the Seal of the Province, if under 1,000 acres...				0	5	0		
Between 1,000 and 5,000 acres ...				0	10	0		
All above ...				0	15	0		
In grants of land where the number of proprietors shall exceed twenty, each right ...				0	2	6		
In ditto, where the number of proprietors shall not exceed twenty, the same as for grants in proportion to the quantity of land.								

1830	For every licence of occupation of land ... ..	0 2 6
8 May.	For every grant of land from 1 000 to 20,000 acres, take for the first 1,000 acres 15s., and for every 1,000 acres more ..	0 2 6
Surveyor's fees.	<i>Fees to be taken by the Chief Surveyor of Lands.</i>	
	For every lot under 100 acres ... ..	0 2 6
	From 100 to 500 acres... ..	0 5 0
	Above 500 acres ... ..	0 7 6
	Every township, if above twenty rights, each right ... ..	0 2 6
Auditor's fees.	<i>Auditor's Fees.</i>	
	For auditing every grant ... ..	0 3 4
Registrar's fees.	<i>Register's Fees.</i>	
	For recording a grant of land for or under 500 acres ... ..	0 1 3
	For recording a grant of land from 500 to 1,000 acres ... ..	0 2 6
	For every 1,000 acres to the amount of 20,000 ... ..	0 0 6
	For recording a grant of a township... ..	1 0 0

## LIEUTENANT-GOVERNOR COLLINS TO VISCOUNT CASTLEREAGH.

Hobart Town, Van Dieman's Land,

10 May.

My Lord,

10th May, 1809.

Settlers from  
Norfolk  
Island.

In continuation of my former reports to your Lordship on the subject of the evacuation of Norfolk Island, I have the honor to acquaint you that early in the month of October last, a ship, the City of Edinburgh, which had been chartered for the purpose by Major Johnson, arrived here, having on board the greater part of the remaining settlers and inhabitants from that settlement; and as I have reason to suppose I have now received the whole of these people that will be allowed to come here, I beg leave to enclose, for your Lordship's information, a general return of the numbers landed from the several ships and vessels employed in the removal.\*

Occupations  
of the  
settlers.

Of the settlers, there are but very few who are not at this moment occupied in the cultivation of their new farms, and erecting habitations of some kind for their families. The few not so employed are troublesome, discontented characters, who refuse the trifling assistance which I can give them, because they cannot obtain the whole to which they have a claim. A reference to Mr. Secretary Windham's dispatch of the 30th of December, 1806,† will shew your Lordship what these claims are, to meet which I have neither the requisite mechanics, artificers, nor labourers. I should not mention this want of labouring people to your Lordship, had I not made several ineffectual applications upon this subject to the Government at Port Jackson. It is to be presumed that, as these representations were accompanied by returns fully pointing out my reasons for making them, some particular local circumstances

Convict  
labour.

\* A copy of this return will be found on p. 773, of vol. vi. † Printed on p. 224, of vol. vi.

unknown to me have as yet prevented their being attended to. Through not having been furnished from Port Jackson with prisoners to supply the loss I have sustained in my original numbers by various casualties, and the lapse of six years, by which all those who were embarked with me, and were transported for seven [years], have (with only a very few exceptions) become free, I have been compelled to hire several of them to work again for Government, on being paid for their labour, which expence will of course cease so soon as I receive a recruit of people adequate to the different services whereon I can employ them.

1869  
10 May.

\* \* \* \* \*

I have, &c.,

DAVID COLLINS.

UNDER-SECRETARY COOKE TO QUARTERMASTER-GENERAL GORDON.

Sir,

Downing-street, 11th May, 1809.

11 May.

I am directed by Lord Castlereagh to desire you will signify to the Commander-in-Chief that it is His Majesty's intention that all the officers of the New South Wales Corps should return to Europe with the regiment, with exception to such officers who, having been at Port Dalrymple, or any of the out settlements during the time of the arrest of the Governor, shall, upon application, receive his licence to remain in New South Wales; or such officers as, being on their passage from England at the time, may receive permission to exchange into the 73rd Foot.

Officers of  
New South  
Wales Corps.

I am, &c.,

E. COOKE.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 13th May, 1809.

13 May.

A GENERAL muster of male prisoners, on or off the stores, of all descriptions; of free men of all descriptions, on or off the stores, excepting those who hold ground by grant, lease, rental, or permission, or who were accounted for in the last general muster of settlers in November; of the women prisoners, and those who are free of all descriptions without any exception, at which time they are to account for their children—will be taken on the following days at Sydney, Parramatta, George's River, and Hawkesbury. Those at Sydney and its district as follows:—The male prisoners, on and off the stores, on Monday, the 22nd of May; the free men, of all descriptions (except those mentioned above), on Tuesday, the 23rd; and the women of all descriptions, on and off the stores, on Wednesday, the 24th, at the Secretary's office; those at Parramatta and its district, of the above classes of people—on Monday, the 29th, at the Court-house; those at George's River—on Wednesday, the 30th, at Colonel Johnston's house; those at the Green Hills, Hawkesbury, and the South Creek—on Saturday, the 3rd of June; those at Richmond Hill and the Nepean—on Monday,

General  
muster.

Times and  
places.

- 1809** the 5th of June; and those at Caddi, Portland Head, and down the river—on Tuesday, the 6th; the muster to commence at 10 o'clock in the forenoon of each day.\*
- 13 May.**
- Penalties for non-appearance.** Any persons comprised within this Order not appearing at the musters, will be taken up as vagrants and punished to the utmost extent of the law, if free; and if prisoners, they will be sentenced twelve months confinement in the gaol-gang. Attempts to impose false accounts of any persons, absent or present, will be punished with the utmost severity.
- Officers' servants.** The officers, civil and military, are desired to send in a list of their servants, whether male or female, free or otherwise, on or off the stores—at Sydney, to the Secretary's office; at Parramatta, to Captain Kemp; and at Hawkesbury, to Lieutenant Bell, Commandant.
- Government stock.** The Acting Commissary is directed to lay before the Lieutenant-Governor, on or before the 1st of June next, a return of the stock of every description disposed of from the public herds since the 26th of January, 1808, in which he is to state the payments that have been made and the ballances still remaining due by individuals on this account.
- Reduction of wheat ration.** The produce of the late harvest not having proved as abundant as was expected, the Lieutenant-Governor is under the necessity of reducing the ration of grain until further orders to 7 lbs. of wheat each full ration, in consequence of which an increase of one-quarter ration of salt provisions will be issued, to commence on Saturday next, the 20th instant.

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VISCOUNT CASTLEREAGH TO D'ARCY WENTWORTH.

Sir, Downing-street, 13th May, 1809.

**The case of D'Arcy Wentworth.** I received your letter and statement† upon the subject of your suspension from your office by Gov'r Bligh, and of his concealing the charges upon which he had grounded that suspension, and of his having transmitted more charges hither without taking immediate measures in the colony for allowing you to prove your innocence or for establishing your guilt. This conduct in the Governor, in the case of mere misdemeanor, cannot be approved, and I have so acquainted Gov'r Bligh; and I should have ordered your restoration to your employment if the circumstances which have taken place in the colony had not arisen. I am afraid that you have taken the vindication of your own cause into your own hands; and I, therefore, cannot act in the manner which a different deportment on your part might have allowed.‡

**His action in assisting Johnston.**

I am, &c.,  
CASTLEREAGH.

\* See Government and General Order of 1st July, 1809, post, p. 156.

† See Wentworth's letter of 17th October, 1807, and its enclosure (vol. vi, p. 313).

‡ See Earl Fitzwilliam's letter to Viscount Castlereagh, 2nd November, 1808, vol. vi, p. 800.

VISCOUNT CASTLEREAGH TO GOVERNOR MACQUARIE.

1809

Sir,

Downing-street, 14th May, 1809.

14 May.

His Majesty having appointed you to be his Governor of the settlement of New South Wales and its dependencies, I am to signify to you the Royal pleasure that you do proceed thither without delay with the 1st Battalion of the 73rd Regiment, which you command. Two of His Majesty's ships, the *Dromedary* and *Hindustan*, have been prepared to receive your regiment and to proceed with you from Portsmouth.

Macquarie's  
appointment.

You are fully apprized of the circumstances which have taken place in that settlement—that Major Johnston, the senior officer of the colony at Port Jackson, at the instigation of certain of the inhabitants and officers, sent a detachment of the force under his orders to the Government House and placed Captain Bligh, the Governor, in arrest, and assumed to himself the government of the colony as His Majesty's Lieut.-Governor; and it appears from dispatches since received that Governor Bligh remains in arrest, altho' there was every reason to believe that he would have returned Home on his own application for a passage or have been sent Home by Major Johnston.

The arrest  
of Bligh.

Major Johnston retained the government in his own hands for a considerable period without acquainting His Majesty's Ministers of the proceedings he had taken, or acquainting Col. Paterson, his senior officer and the Lieut.-Governor of New South Wales, who was at Port Dalrymple;\* and it appears that Lt.-Col. Paterson, when he received intelligence of the measures taken by Major Johnson, declined to leave Port Dalrymple, and remained at that port.

Major  
Johnston's  
conduct.

On the 28th July, 1808, Lt.-Col. Foveaux arrived at Port Jackson, and, refusing to reinstate Gov'r Bligh, who was still in arrest, assumed the command of the settlement.

Foveaux.

Upon your arrival at Port Jackson, I am to signify to you His Majesty's command, that if Capt'n Bligh be still in the settlement you forthwith liberate him from arrest, and replace him in the government; but at the same time intimate to him that as from the circumstances which have taken place, and the numbers of complaints against him, his continuance in the colony might tend to keep alive dissatisfaction, it is His Majesty's pleasure that he do give up the government into your hands immediately and return to England.

Bligh to be  
reinstated  
temporarily.

You are to take immediate measures for placing Major Johnston in close arrest, and for sending him Home in order that he may be tried for his conduct on his return to England; and as Gov'r Bligh has represented that Mr. McArthur has been the leading promoter and instigator of the mutinous measures which have been

Johnston to  
be sent  
Home.

\* Johnston sent word to Paterson on 2nd February, 1808 (a week after the arrest), but he was evidently not very very desirous that Paterson should relieve him.

- 1809** taken against His Majesty's Governor, you will, if examinations be sworn against him charging him with criminal acts against the Governor and his authority, have him arrested thereupon and brought to trial before the Criminal Court of the settlement.\*
- 14 May.** You will have it intimated to all those persons who have been appointed to offices in the settlement since the arrest of Gov'r Bligh that those appointments cannot be considered as valid, and you will restore to their situations those gentlemen who were removed from their offices by Major Johnston.
- Macarthur to be tried.** His Majesty has been pleased to appoint Mr. Bent, a barrister of eminence, to be his Deputy Judge-Advocate for the settlement of New South Wales, in the room of Mr. Atkins, whose want of professional education and practice has led to great inconveniences. Mr. Atkins's attendance in England will probably be wanted in the investigation of Major Johnson's conduct, in which case you will direct him to return; and you are authorised to make him such an allowance for his voyage as you shall see reasonable, and his situation and claims will be considered here. You will take care that every officer belonging to the New South Wales Corps, including Col. Paterson and Lt.-Col. Foveaux, do proceed to England with the regiment; but if Col. Paterson shall wish to grant leave of absence to any officer who was with him at Port Dalrymple, he will be authorized to grant it till His Majesty's pleasure be known.
- Restoration of officers.** You will make such arrangements for replacing the detachments which are in the distant dependencies, such as Norfolk Island (if that island should not be evacuated), the Coal River, the Derwent, and Port Dalrymple, as you shall judge most expedient, sending the most trusty officers in the regiment to command at those places.
- The new Judge-Advocate.** You will order all the papers belonging to Gov'r Bligh, which were violently seized from him, to be restored, and also all other papers (private and public) which have been seized and belong to any of the offices or officers of Government to be also replaced and restored.
- Officers to be sent Home.** The trials and investigations which were made during the usurpation of the Government by Major Johnson cannot be considered as legal so as to bind you to confirm them. They may be of use in leading you to what is necessary to be done for rectifying abuses. You will of course send Home such as may be necessary.
- Relieving the detachments.** The grants of land and leases and stock made by Major Johnston or Lt.-Col. Foveaux are not to be considered as valid, and those granted by them to any officer of the New South Wales Corps you will revoke. Such others as are within the powers granted to the Governors to make you will be allowed to make in your own
- Bligh's papers.**
- Illegal trials.**
- Land grants.**

\* Long before Macquarie arrived Johnston and Macarthur had sailed for England.

name, if you see not any objection, and if the grants shall have been made from impartial motives, reporting the same to me for His Majesty's information. 1800  
14 May.

In the general government of the settlement you will conform to the instructions given to you herewith.\*

The great objects of attention are to improve the morals of the colonists, to encourage marriage, to provide for education, to prohibit the use of spirituous liquors, to increase the agriculture and stock, so as to ensure the certainty of a full supply to the inhabitants under all circumstances. The measures hitherto adopted for these ends have to a great degree failed, which I must attribute chiefly to the want of example and co-operation in the higher classes of the settlement. Morals of the colony.

Upon these points I shall leave you to act according to your discretion, upon consultation with the best characters in the settlement, at the same time furnishing you with some leading points. Local advice

Various measures have been taken from time to time to check the importation and regulate the sale of spirits, but they have all unfortunately failed, and have led to the introduction of private stills, and to a clandestine retail by officers and settlers of the most vexatious and ruinous nature. It has therefore been conceived that, as the use of spirits cannot be suppressed, that the free importation should be allowed under a high duty, so as to render the importation price about 16s. a gallon, and that no person should be allowed to sell spirits after importation without permit; also that all private bartering of spirits for corn or necessaries should be strictly prohibited. Importation of spirits.

A practice has been established at Port Jackson of imposing a maximum of price upon all imported articles, which has been generally laid at 50 per cent. profit. This effort to keep down and equalize the price of goods in the settlement has also failed, as persons possessed of property were by this means enabled to monopolize imported articles at an advance of 50 per cent. on the importation price and then to issue them at whatever exorbitant charge they pleased. It seems expedient to do away this practice and to leave the importation trade free. Price of imports.

I also entertain great doubt as to the policy of continuing a practice for some time past observed of sending out from hence supplies on the account of Government to be sold or exchanged in barter for the produce of the settlement. I wish you to take this subject into your early consideration and report to me your opinion upon the utility or disadvantages of pursuing this plan. The policy to which I have adverted, false in its principle tho' possibly justified under the circumstances of the settlement in its Government investments.

\* See Macquarie's instructions, ante, pp. 133 to 140.

1890 infant state, led to the establishment of a maximum in price for grain and butcher's meat. I am to suggest to you the expediency of considering whether it will not be most advisable to allow the markets to find their own level.

Government  
farm and  
cattle.

It is much doubted whether there be any good policy in maintaining any longer a Government farm and Government cattle. The colony is so far advanced in agriculture and breeding of cattle that these establishments do not seem to be any longer necessary for the mere purpose of securing food or stock, and the distribution of the convicts employed on the Government farm among the settlers may be more useful and more conducive to productive industry. I am, however, to desire that these establishments be not entirely set aside without a previous representation Home from you upon the whole subject and instructions received from hence.

I am particularly to recommend to you the adoption of precautionary measures for preventing the recurrence of famine occasioned by the inundations of the Hawkesbury.

Food  
supplies.

You will take into your consideration the expediency of forming a public granary—whether it may not be practicable, at a small expence, to keep in store a year's consumption of grain for the number of persons in the colony who receive rations, which, 1 lb. of flour for 3,000, persons would be about 1,200,000 lb., which, supposing the flour bought in at 2d. a pound, would amount to £12,000.

I have, &c.,

CASTLEREAGH.

#### VISCOUNT CASTLEREAGH TO GOVERNOR MACQUARIE.

Sir, Downing-street, 14th May, 1809.

Female  
convicts.

It has been represented to me that upon the arrival of a ship with female convicts in New South Wales, the unfortunate females have been given into the possession of such of the inhabitants, free settlers, and convicts, indiscriminately, as made a demand for them from the Governor. If a practice so extraordinary and disgraceful has not been abolished, you will by no means suffer it to continue, and I am to desire you will take the proper means for having the female convicts, upon their arrival, kept separate till they can be properly distributed in such a manner as may best encourage attention to industry and character.

Assigned  
servants.

It is understood that with regard to male convicts they are in general apprenticed out to the settlers for a term, the settlers engaging to find each clothing, victuals, and £10 in money. Whether this rate of allowance be not too great and too burdensome to the settler in all cases will require your consideration.

Assignment  
of females.

The female convict, it is stated, is seldom apprenticed, and she lives indiscriminately, first in one family, then in another. This general licence and want of restraint seems to have the worst

tendencies, and it should seem advisable that they should be apprenticed out more strictly than the males, and that they should not be allowed to dissolve their apprenticeships but for marriage, which is to be encouraged as much as possible. 1808  
14 May.

As the barracks erected in New South Wales are not sufficient to contain the whole of your regiment, you are hereby authorized to take such measures as may be necessary for providing them sufficient accommodation. The barracks.

I am particularly to desire that you will have the accounts of the Commissary properly examined, and that office placed upon a proper footing. Many complaints have been brought against the present Commissary, Mr. Palmer; but, as they have been chiefly brought forward since the arrest of Gov'r Bligh, it is probable they were exaggerated by party. At the same time, I am to apprise you that his conduct has not appeared satisfactory at the Treasury. Commissary's accounts.

You will signify to Lt.-Col. Collins that it is His Majesty's orders that all his correspondence shall be carried on thro' you; that he do punctually obey all orders he shall receive from you. He will be personally responsible for any measures he should take, or any contracts he shall enter into, without your approbation, except in some case of actual necessity, which, as the communication between the Derwent and Port Dalrymple by land is so fully established, is not likely to occur. Collins to communicate through Macquarie.

It will be matter for you to consider whether this circumstance of a land communication being established between Port Dalrymple and the Derwent may not render it eligible to make one of those settlements dependent on the other, the superior settlement to be still dependent on the Governor of New South Wales. Port Dalrymple and Hobart.

I have, &c.,  
CASTLEREAGH.

VISCOUNT CASTLEREAGH TO GOVERNOR BLIGH.

Sir, Downing-street, 15th May, 1809. 15 May.

I received and laid before the King your letters of the dates in the margin\* mentioned, containing an account of the manner in which you had been placed and kept in strict arrest by Major Johnson,† and continued in that arrest by Lt-Colonel Foveaux. Bligh's letters.

From your letter of the 30th of April there was every reason to expect that your departure from the colony would have been shortly subsequent to the date of it, which prevented my writing to you when it arrived.‡ Bligh expected in England.

The mutinous outrage committed on you, His Majesty's representative, has caused the strongest sensation, and His Majesty has Receipt of the news in England.

\* 30 April, 1808 (vol. vi, p. 607); 30 June, 1808 (ib., p. 657); 31 August, 1808 (ib., p. 709).

† Johnston's name is spelt wrongly throughout this letter, and he is styled Major instead of Lieutenant-Colonel. Macquarie's name is also misspelt.

‡ Castlereagh alludes to the paragraph in Bligh's letter (vol. vi, p. 628) where he stated, "I think it absolutely necessary I should return Home to show what must be effected."

- 1809** ordered that Major Johnson should be sent Home in strict arrest, and that the New South Wales Corps should be relieved by the 73rd Regiment.
- 15 May.**
- Confidence in Bligh.** His Majesty is unwilling to believe that your conduct has been such as justly to have excited discontent in the colony, much less that it was of such a nature as could in any degree warrant such a measure as has been taken by Major Johnson.
- Macquarie appointed.** It, however, appears from all the circumstances which have been transmitted, that your remaining in the government of the colony could not be attended with satisfaction to yourself or advantage to the public service. His Majesty, therefore, has been pleased to appoint Col. McQuary, of the 73rd Regiment, to take upon him the command of the colony and its dependencies.
- His orders.** Col. Macquary has orders upon his arrival to liberate you from your arrest, and, in vindication of your lawful authority, to replace you in your situation as His Majesty's Governor. As soon as this measure shall have taken place, it is then His Majesty's pleasure that you do receive Col. Macquary as your successor, and proceed to have him sworn in in your presence.
- Bligh to return Home.** You will then make the necessary arrangements for your return Home. It is intended that Major Johnson shall, upon his return, be brought to trial for his conduct, and it will be for you to consider what evidence it may be necessary to send Home for substantiating the charge of his mutinous proceedings; and it will be further for you to consider what persons you may intend to bring accusations, and what evidence may be necessary to substantiate them.
- Johnston's letter to Castlereagh.** In order that you may be made acquainted with the charges against you upon which Major Johnson attempts to justify the measures adopted by him for depriving you of your authority, I think it right to put you in possession of his letters\* to me, of which the enclosed is a copy, and in which reference is had to various documents, which I do not transmit, because the originals must exist in the settlement, and Col'l Macquarie will be directed to give the necessary orders for their being delivered to him to be disposed of in such manner as shall appear to be necessary for elucidating or supporting the subjects to which they relate.
- I have, &c.,  
CASTLEREAGH.
- VISCOUNT CASTLEREAGH TO GOVERNOR BLIGH.
- Sir, Downing-street, 15th May, 1809.
- Suspension of D'Arcy Wentworth.** In your letter of † you state that you had suspended Mr. D'Arcy Wentworth from his situation upon account of his having been guilty of an impropriety in retaining convicts

\* Vol. vi, p. 575.

† Blank in original; the letter was dated 31st October, 1807. It will be found on p. 365 of vol. vi.

upon the hospital list in order to work his grounds and garden, when they ought to have been discharged ; and you inclose two affidavits on this matter as a justification of your conduct and as a ground for receiving thereupon the decision of His Majesty's Ministers.

1809

15 May.

Upon this conduct, if the convulsion which has happened had not taken place, I intended to have conveyed to you my sentiments, and I now think it my duty to express my disapprobation of it. The charge against Mr. Wentworth was for impropriety and fraud in retaining convicts upon the hospital list with a view to his own benefit. Surely this was a charge which ought to have been immediately brought forward before the tribunal of the colony, where alone Mr. Wentworth could have had an opportunity of defending himself ; instead of which, without stating to him his offence, without stating to him the charges upon which you suspend him, you transmit his accusation hither, expecting His Majesty's Ministers will form a decision in a mere case of misdemeanor without hearing the accused person in his defence, and at the same time knowing that the accused has been kept in ignorance of his alledged crime, and prevented the means of proving his innocence. You must be sensible, from what I have thus stated, that your suspension of Mr. Wentworth on such a charge, and your concealing from him the nature of it, and your declining to bring him to trial in the colony, is not reconcileable with the principles of British justice, and you would have received orders to restore Mr. D'Arcy Wentworth to his situation if the convulsion which has arisen in the colony had not taken place.

Castle-  
reagh's dis-  
approval of  
Bligh's  
conduct in  
suspending  
Wentworth.

A mere case  
of misde-  
meanour.

I have, &c.,

CASTLEREAGH.

UNDER-SECRETARY COOKE TO GOVERNOR BLIGH.

Sir,

Downing-street, 15th May, 1809.

Col. Macquarie, whom His Majesty has appointed to succeed you in the Government of New South Wales will, upon his arrival in the colony, replace you in your situation as His Majesty's Governor. Lord Castlereagh, however, desires it to be understood by you that when liberated from arrest you are not to proceed to the general exercise of the functions of Governor ; but the day after you shall have been so liberated you are to receive Col. Macquarie as your successor at the Government House, when he will open his patent, and you will swear him into office.

A formal re-  
instatement  
of Bligh.

I have, &c.,

E. COOKE.

ORDER FROM GOVERNOR BLIGH TO CAPTAIN PORTEOUS.

MEMO.

The Porpoise, 19th May, 1809.

19 May.

SEVERAL boats passing and repassing His Majesty's ship refusing to pay obedience to come alongside, or so as to be questioned upon what pursuit they are on when they are hailed for that

Bligh at the  
Derwent.

1809 purpose, it is my directions that they are (when opportunity offers) to be informed that this contempt will not be suffered, and they are always to pass near to His Majesty's ship, and particularly after sunset, in disobedience of which they will be subject to be fired at. And all boats whatever going down the harbour are particularly to attend to these orders, except such as the Lieutenant-Governor may be in, and you will give the necessary directions accordingly, observing that no centinel is to fire without orders from the officer of the watch.

W<sup>M</sup> BLIGH.

LIEUTENANT-GOVERNOR COLLINS TO GOVERNOR BLIGH.\*

21 May.

Sir, Government House, Hobart Town, 21st May, 1809.

Paterson's proclamation.

A proclamation, bearing date the 19th of March, 1809,† issued by the head of the Executive Government at Port Jackson, having been officially transmitted to me by the ship *Pegasus*, which proclamation, for reasons therein detailed at large, in the most positive manner enjoins every person it can affect not to hold correspondence in any shape or manner with you, sir, or your family at present embarked on board His Majesty's ship *Porpoise*, I have to acquaint you that, in compliance with directions which I conceive it my duty, as the commanding officer of a dependent settlement, to obey, I have caused the aforesaid proclamation to be this day publicly read in the settlement, which, together with a copy of my order affixed thereto, I herewith enclose for your information.

Collins's relations with Bligh.

As this is the last opportunity which I can have, sir, of communicating with you while in this part of the world, I will not omit mentioning how much I regret that my wishes to promote your personal convenience have not been successful, as my house, which was given up to you on your arrival, has not, for these four weeks, past been of any accommodation either to yourself or to that part of your family for whom the use of it was requested.

Bligh's order concerning passing boats.

I am extremely concerned that your conduct in ordering the boats of this colony, when passing in the daytime up or down the river, to come within hail of His Majesty's ship *Porpoise*, under pain on non-compliance of being fired into, without the same having been signified to me, should have induced the necessity of my sending a boat, with an officer and an armed party, past your ship on Friday evening last, and that my having so done should have led you to suppose that there could be any necessity for keeping the King's ships the whole of the night in such a state of defence and preparation as would have been highly proper if an enemy had been reported to have been in the river.

I am, &c.,

DAVID COLLINS.

\* Collins addressed his letter of 4th May, 1809 (ante, p. 125) to "His Excellency Gov<sup>r</sup> Bligh." The above was addressed to him merely as Commodore Bligh.

† Ante, p. 81.

ADDRESS OF SETTLERS TO GOVERNOR BLIGH.

1800

The Derwent, 21st May, 1809.

21 May.

May it please your Excellency,

We, a part of the unfortunate settlers late of Norfolk Island, imprest with a due sence of our duty and earnest to step forward at this momentious period, big with danger and difficulty, whilst the wavering mind fluctuates between hope and fear, we most humbly beg leave to express those sentiments of loyalty which are inherent in our bosoms by firmly declaring our adherence to your Excell'y as the true and only representative of our august Sovereign in these his colonys, and our determined abhorrence of those measures which have been taken by a set of disloyal and unprincipled men, who in the most daring manner have subverted your Government, prevented those salutary effects which we are convinced would have resulted therefrom, involving the innocent with the guilty, and by specious illegal acts, drawing aside the ignorant and unwary, and, that the enormity of their crimes may be obscured, introducing anarchy and confusion.

Loyalty of  
Norfolk  
island  
settlers.

The arrest of  
Bligh.

These disloyal, base, and unwarrantable proceedings we most solemnly deprecate, sincerely lamenting from our hearts that men whom His Majesty had so highly honour'd should so far forget their duty in overturning that Government they were bound to support, and we beg leave to assure your Excell'y of our resolution to adhere to our loyalty and duty (in any and every pretext to mislead us whatever) to our most gracious Sovereign, and to your Excell'y as his worthy representative, not doubting but that you will ultimately triumph over all your enemies of every description, and be received on your return to your native land with that honour and distinction with which His Majesty is always pleased to reward the brave and meritorious. May your Excellency enjoy every blessing that the Almighty is pleased to bestow, and may your amiable daughter find that consolation in her present afflictions which must evidently result from parental kindness and filial duty,—which is the sincere and earnest wish of your obedient and devoted servants to command.

Adherents  
of Bligh.

THOS. RESTELL CROWDER.	JOHN HALL.
JAMES BELBIN.	GEORGE BROWN.
JAMES DODDING.	W'M SHARDLEY.
JOHN BERRESFORD.	RICH'D PHILLIMORE.
THO'S O'BRIEN.	THOMAS PRIEST.
W'M HALEY.	W'M BELLAMY.
THOMAS FRANCIS.	JNO. MAUL.
JOSEPH HALL.	THO'S GUY.
WILLIAM MITCHELL.	MICH'L LEE.*

\* A number of these men were retired marines.

1809

## LIEUTENANT-GOVERNOR COLLINS'S GENERAL ORDER.

21 May.

Hobart Town, 21st May, 1809.

Paterson's  
proclamation.

THE head of the Executive Government at Port Jackson having thought fit to issue the following proclamation, bearing date the 19th day of March, 1809,\* a copy of which has been transmitted to the Lieutenant-Governor for the purpose of its being circulated throughout this settlement, he hereby calls upon every description of persons residing within the same to pay the strictest obedience to the tenor of the said proclamation.

DAVID COLLINS.

## GOVERNOR BLIGH TO LIEUTENANT-GOVERNOR COLLINS.

22 May.

His Majesty's ship Porpoise,  
in the Derwent, 22nd May, 1809.

Bligh warns  
Collins.

Sir, I am informed it is your intention to put in force the rebellious proclamation of Colonel Paterson. I, therefore, from motives of humanity, inform you that the whole of the proceedings of the New South Wales Corps have met with the greatest disapprobation of His Majesty and the English nation, that succours to me are on the voyage, and that if you do enforce such proclamation against me and His Majesty's ships you must inevitably suffer.

I am, &amp;c.,

W<sup>M</sup> BLIGH.COLONEL PATERSON TO LORD MINTO.†  
(Colonial Secretary's Papers.)

My Lord, Sydney, Port Jackson, 22nd May, 1809.

Paterson  
and Lord  
Minto.

I have to acknowledge the receipt of your Lordship's letter of the 4th December last, by the Hibernian, enclosing a copy of your communication, addressed to Governor Bligh, on the affairs of India; and I assure your Lordship that I feel most deeply honored by the permission you have been pleased to grant me of laying before you such information relative to this colony as may appear to me likely to merit some share of your Lordship's consideration.

The arrest  
of Bligh.

Taking it for granted that your Lordship has been apprized of the arrest and suspension of Governor Bligh, and anxious that you should be possessed of an accurate account of that extraordinary event, I beg leave to submit to your Lordship the result of my enquiries into the cause which led to it, and a short statement of the most interesting transactions connected with it which have subsequently occurred.

Bligh's  
alleged  
misdeeds.

It has been proved that Commodore Bligh, almost from the first moment of his arrival in New South Wales, had acted upon a settled plan to subvert the laws of his country by terrifying and influencing the Courts of Justice, and that in order to improve his own fortune he had sacrificed the interests of Government by a

\* Ante, p. 81.

† Lord Minto was Governor-General of India.

wasteful expenditure of the public stores and the most glaring appropriation of the property of the Crown to his own private purposes, that he had been advised and assisted by a few unprincipled and desperate men, among whom was the notorious George Crossley, sent to this country for perjury, who intended to have established a monopoly of the revenues and trade of the colony at the expence of the Crown, as well as of every individual unconnected with themselves, and that in the prosecution of these plans such lengths had been gone by violating private property and infringing personal liberty as to have created universal terror amongst all classes of people, from the highest to the lowest, and that no alternative was left but to put the Governor under arrest, as the only means of preventing insurrection with all its attendant horrors, and saving him and the persons he confided in from falling victims to the fury of the incensed populace.

1809

22 May.

George Crossley.

Bligh's arrest a necessity.

Lieutenant-Colonel Johnston, the second in command, therefore, on the 26th January, 1808, at the earnest intreaties of the civil and military officers and the most respectable inhabitants, took upon himself the responsibility of suspending Governor Bligh's authority, and assuming the government of the colony until His Majesty's pleasure should be known, or until the arrival of a superior officer should relieve him in the command.

Johnston acts.

After this unpleasant though unavoidable measure, most perfect peace, tranquillity, and confidence was restored, which happily have since in no instance whatever been materially interrupted.

Tranquillity restored.

Not a moment was lost in making arrangements for sending the Governor to England, but so many difficulties presented themselves, and so many obstacles were created by himself, which it was found almost impossible to remove, that Colonel Johnston consented to his remaining in the colony until I should be enabled to decide in what manner it was most advisable he should be sent Home.

Bligh remains in the colony.

An official report of the Governor's arrest reached me at Port Dalrymple in the following month, and in May H.M.S. Porpoise arrived for the purpose of conveying me to Port Jackson. At that period, however, I laboured unfortunately under so great a debility, caused by a long and dangerous illness, that it was absolutely impossible for me to undertake a winter's passage, and I was reluctantly obliged to defer my arrival until an increased degree of strength and a milder season should afford the chance of my surviving the voyage.

Johnston informs Paterson.

On the 28th July last, Lieutenant-Colonel Foveaux, Lieutenant-Governor of Norfolk Island, arrived at Port Jackson from England, and as senior officer of His Majesty's forces (and in obedience to His Majesty's command to act as Lieutenant-Governor of the territory during my absence from head-quarters) assumed the Government of the colony, which he communicated to your

Foveaux assumes command.

1800 Lordship by a letter dated the 16th August, 1808, and committed  
22 May. to the care of Mr. J. Webster, master of the ship Eagle, bound to Bengal.

Paterson  
arrives at  
Sydney.

An uninterrupted continuation of ill-health prevented my leaving Port Dalrymple until the end of December, and on the 1st January I arrived here in H.M.S. Porpoise, and took the command of the colony, soon after which I had the mortification to find that Commodore Bligh, regardless of the peculiar situation in which he was placed, evinced a determination, by every means in his power, to impede me in the execution of the arduous duties imposed upon me, and, heedless of the interests of the Crown, to throw every possible obstruction in the way of the public business.

The forbearance I had exercised, and was anxious to continue, would, if persevered in, have become criminal. I saw that the peace of the colony was in danger of being disturbed, and its prosperity of being checked, if Commodore Bligh was suffered to remain in it.

He charters  
a vessel.

I therefore chartered the Admiral Gambier, a new and commodious ship of 500 tons, and acquainted him that he should immediately proceed to Europe in her, with Lieutenant-Colonel Johnston, and such persons as they might both require, to enable them to explain to His Majesty's Ministers the circumstances attending the change which had taken place in the Government.

Bligh refuses  
to sail in her.

To this arrangement Commodore Bligh refused to submit, except by force, well knowing how reluctantly I should resort to such a measure. Having, however, signified to him my determination of carrying it into effect, and having found it unavoidable for that purpose to impose some additional restraints upon his person, he caused it to be notified to me that he was desirous of proceeding to England in the Porpoise, in which—from an anxiety to accede as far as possible with his wish—I readily acquiesced, and he was immediately restored to the uncontroul'd enjoyment of that intercourse with his friends which (except for a few days) had been fully permitted him from the first moment of his arrest.

Bligh  
permitted to  
embark on  
the Porpoise.

On the 20th February he accordingly embarked on board the Porpoise; but altho' that vessel was then in a complete state of readiness for sea, and the weather was perfectly favorable, he did not sail from hence until the 18th of March, on which day, in direct violation of his solemn engagement, voluntarily entered into with me, he sent a paper to the master of every vessel in this port proclaiming His Majesty's N.S.W. Corps and several of the principal and most respectable inhabitants to be in a state of mutiny and rebellion; and I have since learned that a further breach of his word and honor as an officer and a gentleman, he has intercepted and detained a letter on the public service from the Commander-in-Chief in India, by the ship Hunter, addressed to this Government; and has proceeded to the settlement at the

Bligh's use  
of his  
liberty.

Derwent, where, I understand, he has landed and taken up his residence, fearful, no doubt, to encounter the consequences which must inevitably follow a public investigation at Home of the delinquencies which have invariably marked the whole progress of his administration in this colony. 1809  
22 May.

In order to deter the ill-disposed from seconding his efforts to disturb the public tranquillity, and to prove to the world that he considers himself bound by no principle of honor or good faith, I have issued the annexed proclamation,\* which contains the terms on which I allowed him, at his own request, to embark on board the Porpoise. Paterson's proclamation.

On the 28th March Lieutenant-Colonel Johnston sailed for England in the Admiral Gambier, with the several persons whose testimony he deemed necessary to support the charges he has advanced against the late Governor. Johnston sails for England.

I lament to state to your Lordship that an unusual continuance of heavy rains during the months of November and December last had so injured the crops by causing a smut, that the produce of the late harvest has fallen far short of the very promising appearance it wore at an early period, and the quantity of grain which has been saved will, by no means, prove sufficient for the consumption of the colony; and as a no less unfortunate series of wet weather has hitherto prevented the farmers from getting their wheat into the ground, the prospects from the ensuing harvest are extremely precarious. Agriculture.

A considerable importation of grain will be, therefore, absolutely necessary to supply the deficiency and prevent the distresses to be apprehended from a failure which it was not possible for human prudence to have guarded against.† Grain from India.

Should I find it, therefore, expedient to have recourse to India for relief, I trust your Lordship will permit me to solicit your sanction for procuring such a supply from thence as the wants of the colony may render it necessary for me to provide.

I have, &c.,

W<sup>M</sup> PATERSON.

#### PROPOSALS FOR MANUFACTURE OF HEMP.

Sydney, 25th May, 1809. 25 May.

PROPOSALS respectfully submitted to Lieutenant-Governor Paterson towards carrying into effect the wishes and instructions of His Majesty's Ministers, for promoting the culture and preparation of hemp, and also for manufacturing the same into canvas and cordage. Cultivation of the hemp plant.

First.—A grant or lease of 1,000 acres of land at Toongabbee, being the situation which appears best calculated for carrying the Free grant.

\* Ante, p. 81.

† Paterson makes no reference to the fact that the Admiral Gambier was under charter to return with rice and grain.

- 1809 proposed scheme into effect ; the said grant or lease to be given to Messrs. Kent and Burton, who propose to be jointly concerned in the undertaking.
- 25 May. Secondly.—That for this purpose Mr. Burton proposes to bring from India twenty native Indians or Chinese acquainted with the process of preparing hemp and making rope, cordage, and canvas ; and to facilitate the plan, a letter should be addressed by the L't-Governor to Lord Minto (or the Governor-General then being) requesting his countenance and support towards the accomplishment of this national good.
- Indian emigrants.
- Promoter's capital. Thirdly.—That the persons embarked in this business intend to lay out a considerable capital in purchasing patent screws for screwing the hemp for exportation, with every necessary implement for making cables, ropes, cordage, and canvas.
- Expenses. Fourthly.—That the inconsiderable sum of £300 be allowed by Government to cover the expense of conveying the above people from Bengal to Port Jackson.
- Maintenance. Fifthly.—That on the arrival of the above mentioned twenty native Indians, Government will be pleased to place them on His Majesty's stores as a small equivalent for the expence attending a particular mode of diet to which they have been accustomed, and which Messrs. Kent and Burton intend to supply them with.
- 
- Seven years' monopoly. Lastly.—They respectfully submit that the expence and risk attending the undertaking will be very considerable, and the profits at first very inadequate to the expence, particularly if the same indulgence is granted to other adventurers in the same line, to prevent which Government will be pleased to grant them an exclusive privilege of manufacturing hemp for seven years, or that Lieutenant-Governor Paterson will be pleased to write to His Majesty's Secretary of State to that effect, securing the above-mentioned privilege to the undertakers until the pleasure of His Majesty's Ministers is known.

J. C. BURTON.

THO'S KENT.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 30th May, 1809.

- 30 May. THE meeting of the Civil Court to have been held at Hawkesbury on the 12th of June is postponed to Monday, the 17th of July next.
- The Civil Court.

The general muster at George's River, Green Hills, Hawkesbury, South Creek, Richmond Hill, the Nepean, Caddi, Portland Head, and down the river, directed by the General Orders of the 12th instant, is postponed until further orders.

- Flood at Hawkesbury. The Lieutenant-Governor, in order to alleviate the distresses occasioned by the overflowing of the Hawkesbury\* has directed

\* An account of this flood appeared in an English newspaper, *Bell's Weekly Messenger*, of date, 14th October, 1810, written by a resident of the Green Hills (Windsor). The height of the water was given as 6 or 8 feet above that of the flood in March, 1806 ; and as being not much less than 86 feet above the ordinary level of the river. The river had formed a junction with South Creek, across the hills, through Rickerby's grounds upon the river side, and those of the Rev. Mr. Marsden on the Creek. See also post, p. 166.

half the working gangs from Sydney and Parramatta to proceed immediately to the assistance of the settlers on the banks of that river, with a proportion of working bullocks and their drivers, and all the ploughs, harrows, and harness in possession of Government. 1809  
30 May.

All persons having three male prisoners off the store, and who have not ten acres of land sown or ready to be sown with wheat, are hereby ordered immediately to return one of them to the principal superintendants in their respective neighbourhoods, in order that they may assist the settlers and cultivators on the banks of the Hawkesbury in adopting means for lessening the evils to be apprehended from the inundation. Assigned servants.

The Acting Commissary has received directions to issue a suit of slops to each prisoner on his arrival at the Hawkesbury.

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LIEUTENANT-GOVERNOR COLLINS TO VISCOUNT CASTLEREAGH.

Government House, Hobart Town,

My Lord, Van Diemen's Land, 31st May, 1809. 31 May.

I have the honour to acquaint your Lordship that on the 30th March last Commodore Bligh arrived here from Port Jackson in His Majesty's ship Porpoise, having left the settlement, as I have since been informed, under a solemn promise that he would proceed direct to England. Collins reports to Home office.

I did not imagine there would have been any occasion to address your Lordship respecting this officer, further than to mention his arrival, and my determination to show every possible attention to his personal convenience while he remained within the limits of my command; but some unforeseen and unprecedented circumstances having recently occurred between us, I deem it necessary, in my own justification, to state them to your Lordship. Bligh and Collins.

I had been officially informed by the officer who succeeded Mr. Bligh in the Government that it had been found expedient to put him under an arrest; with the circumstances that led to such a strong measure I never was made acquainted. Upon his arrival I received him with the honours due to the office of Governor-in-Chief, and gave up to him the house in which I then was living. After the first salutations and marks of respect had been paid, he appeared dissatisfied at not having been addressed by the settlers, and I could observe that upon every occasion he was endeavouring to impress upon the minds of the settlers and convicts the idea that he was the Governor-in-Chief, and still possessed of the power and authority of that office, professing at the same time a readiness to hear and redress any complaints they would lay before him, although it was expressly stipulated between him and Lieutenant-Governor Paterson, before he was suffered to embark in the Porpoise, that he would not interfere in the concerns of Government, Collins's treatment of Bligh on arrival. Bligh's attitude.

- 1800 and although he had himself given me unasked-for assurances that he would in no wise meddle or interfere with my command of this settlement.
- 31 May. About three weeks after his arrival we learned by a ship which came in from Port Jackson that at his departure thence Mr. Bligh thought fit to leave behind him several circular letters, addressed to the masters of such ships as were then in the port, and which were to be delivered after the Porpoise had sailed, proclaiming the New South Wales Corps to be in a state of mutiny and rebellion, and commanding the masters not to take any of them out of the colony. The Lieutenant-Governor deeming this transaction a flagrant violation of a promise solemnly given by Mr. Bligh, issued a proclamation, one of which is herewith enclosed,\* forbidding all descriptions of persons within the territory from holding any intercourse or correspondence whatever with him or any of his family at that time embarked on board the Porpoise.
- Bligh's proclamation.
- Paterson's counter proclamation.
- This proclamation, which was inserted in the Colonial newspapers, though not officially received by me, was communicated to the person whom it most nearly concerned, who thought it advisable to write a counter proclamation,† in which he described that of the Lieut.-Governor to be of the most rebellious and unlawful nature, and strongly calling upon me to assemble the inhabitants of this settlement at a certain time and place, and there cause the same to be publicly read. I immediately decided what part I had to take in this business; but willing to know if my officers thought with me, I assembled them and had the satisfaction of finding they were unanimously of opinion it would be the extreme of imprudence, if not of folly, to give my sanction to the publication of it here. I have the honour to enclose, with a copy of the abovementioned proclamation, a copy of Mr. Bligh's letter‡ to me, of my answer§ to him, and of one from him in reply,|| of which I did not think it necessary to take any notice.
- Bligh's second proclamation.
- Collins consults the officers.
- Bligh's order concerning boats.
- Mr. Bligh, at this time, had been some days on board his ship, and now began to exercise his authority afloat, ordering the boats of the colony, when passing up or down the river in the daytime on the public service, to come within hail of his ship, upon pain of being fired into if they did not comply. Independent of the interruption hereby thrown in the way of the public business, there appeared to me something unhandsome in taking such a step without communicating to me his intention or his reasons for a proceeding which I considered as calculated to weaken if not to lower my authority in the settlement.
- Collins dis- regards Bligh's orders.
- I was on the point of coming to an explanation with Mr. Bligh upon this subject when a circumstance occurred which determined me at once how to act. Information being received on the evening

\* Ante, p. 81. † See Bligh's proclamation of 29th April, 1800, ante, p. 106.

‡ Ante, p. 113.

§ Ante, p. 125.

|| Ante, p. 125.

of the 19th instant that a ship was at the entrance of the river, I ordered a boat to be manned, and putting an officer and a party of the military into her, with positive orders not to go alongside the Porpoise, I sent him down for my letters. An attempt was made by the Commodore to stop the boat by ordering the officer to come alongside; but he, Lieutenant Lord, of the Royal Marines, having received my directions, was not intimidated by anything he heard, and did not go alongside the Porpoise.

1800

31 May.

The ship, as I expected, was from Port Jackson, and by her was now officially transmitted to me the Lieutenant-Governor's proclamation of the 19th of March last, with particular directions for my conduct with respect to Mr. Bligh.

Despatches  
from  
Paterson.

I humbly beg leave here to observe to your Lordship that Lieutenant-Governor Paterson, although junior to me in military rank, and as such incapable of giving me orders, yet in his civil capacity holding the commission of Lieutenant-Governor of the territory and its dependencies, I considered him my superior, and in consequence did not delay shewing my recognition of him as such by causing the proclamation to be made public throughout the settlement.

Paterson's  
authority.

By this compliance with the Lieutenant-Governor's directions I fear I have drawn upon myself and the officers under my command the evil report of Mr. Bligh, who, in a letter, a copy of which I enclose,\* informs me that for this act of my duty I am "inevitably to suffer." I hope, my Lord, I shall not be so unfortunate as to incur your Lordship's disapprobation of my conduct towards this unfortunate officer. Could I have been left to the exercise of my own feelings respecting him, had he not adopted a conduct which I thought unhandsome in several respects, he might have remained here in the enjoyment of a tranquility that had been denied to him at Port Jackson until he had thought proper to leave me.

Collins's  
relations  
with Bligh

I will now only add, to what I fear your Lordship will deem too long a letter, and for which I must entreat your pardon, that

I am, &amp;c.,

DAVID COLLINS.

#### GOVERNMENT AND GENERAL ORDER.

As the anniversary of His Majesty's birth happens on a Sunday, it will be observed as usual on Monday, the 5th inst.

The serjeants of the New South Wales Corps and Loyal Sydney and Parramatta Associations will receive each two pounds of fresh beef and half a pint of spirits; the privates, one pound of beef and one gill of spirits; to overseers, constables, watchmen, and Commissary's clerks, the same as to privates, which is to be issued to them next Monday. The spirits to be issued at one o'clock.

The King's  
birthday.

\* Ante, p. 152.

1809

ROBERT BROWN TO SIR JOSEPH BANKS.

2 June.

Gerrard-street, Soho, 2nd June, 1809.

Brown's  
collection.

MR. Brown has the honour of submitting to Sir Joseph Banks an abstract of his progress in the arrangement and description of the collections of natural history made by him in New Holland, during the voyage of His Majesty's sloop, Investigator. In this, according to Sir Joseph's desire, he does not enter into any detail, but confines himself to a statement of the number finish'd and of that which remains to be done.

New plants.

The number of plants described is sixteen hundred, of which nearly thirteen hundred are as yet unpublisch'd; and these comprehend upwards of one hundred genera consider'd as new.

The unfinish'd part of the collection of plants is rather greater than that describ'd, containing, however, a smaller proportion of new species, and, it is suppos'd, considerably fewer new genera.

Bauer's  
drawings.

It appears by the accompanying list\* of Mr. Bauer that one hundred and nineteen drawings are finish'd, and, from the same list, as well as from an examination of the sketches, that on similar grounds of selection about seventy remain to be done.

Brown's  
Prodromus.

Mr. Brown takes, also, the liberty to state that he has made some progress in preparing a Prodromus, in which it is intended to give the characters of all the new genera, and of such of those already publish'd as seem to require alteration, together with specific differences of those genera already finish'd, and of as many others as he may be able to prepare, consistently with the principal object of the undertaking, which, being to prevent anticipation—especially on the part of the French botanists who lately visited the same country—he is anxious to obtain the approbation of my Lords Commissioners of the Admiralty and of Sir Joseph Banks respecting this plan, and to publish the work, which, it is suppos'd, will not exceed 600 octavo pages, as soon as possible.†

#### PORTLAND HEAD CHURCH.‡

A church  
on the  
Hawkes-  
bury.

WE are glad to hear that in this country, where the Gospel is so much needed, a commendable effort of Christian zeal has been manifested. In the district of Portland Head, on the banks of the river Hawkesbury, several of the settlers have come forward, by a subscription, to erect a chapel and school-house. One of the settlers has given four acres of ground for the purpose, and about £200 was subscribed. The spot, which is delightfully situated, is

\* The list is not available.

† Vol. I of Brown's *Prodromus Floræ Novæ Hollandiæ et Insulæ Van Diemen* was published in 1810. (Vol. II was not published.) According to Alibone's Dictionary of English Literature, the first edition was suppressed. A second edition in one volume was published in 1827.

‡ Extract from the *Evangelical Magazine* for 1809.



PRESBYTERIAN CHURCH,  
"EBENEZER," PORTLAND, HAWKESBURY RIVER.



now called Ebenezer Mount.\* The institution is named, "The Portland Head Society for the Propagation of Christian Knowledge and the Instruction of Youth." Mr. Hassall and Mr. Youl, who were formerly missionaries at Otaheiti, dispense the Word of Life among the people, and with encouraging prospects of success. A supply of Bibles, Testaments, Watts's psalms and hymn books, and school books will be very acceptable. Persons disposed to contribute such are requested to send them to the Secretary of the Missionary Society, 53, Hatton Garden. Proposals have been circulated for instituting a Lending Library for the general benefit of the inhabitants of New South Wales. In that colony books of every kind are extremely scarce. It is, therefore, highly desirable that a public library should be formed, containing books suited to the poor settlers employed in agriculture, the soldiers, and the convicts. Those who have a disposition to improve their minds have at present scarcely an opportunity on account of the want of books. Treatises on divinity and morals, history, voyages and travels, agriculture in all its branches, mineralogy, and practical mechanics, would be peculiarly acceptable. Donations for this purpose, in money, books, or tracts will be thankfully received by the Rev. Samuel Marsden, chaplain to the colony, at Mr. William Wilson's, No. 150, Fenchurch-street, London.

1809

2 June.

Missionary  
preachers.A public  
Library.

## GOVERNOR BLIGH TO SECRETARY POLE.

His Majesty's Ship Porpoise, in the Derwent,

Sir,

New South Wales, 3rd June, 1809.

8 June.

In my letters by the ship Albion, which sailed in November last from Port Jackson, I had the honor to acquaint you, for the information of my Lords Commissioners of the Admiralty, of the occurrences which had taken place to the sailing of the Porpoise for Port Dalrymple without my orders.

On the 16th of November last the Speke transport arrived at Port Jackson, and it was with pleasure I received Captain Porteous, who their Lordships had appointed to the Porpoise. Lieutenant Oxley and Mr. McMillan (surgeon) also arrived; but, as they said they had no despatches professedly in their care, the rebel Naval Officer received them from the master of the ship, and took them to the assumed Lieutenant-Governor of the colony (Lieutenant-Colonel Foveaux), and I am totally uninformed of their contents.

Despatches  
from  
England.

I invited Captain Porteous to my house, and related to him every circumstance concerning being dispossessed of my authority, and my confinement. I endeavored to impress upon his mind that

The naval  
officers.

\* The church is still standing. With the exception of some slight alterations to the roof, its exterior has remained unaltered for ninety years. The accompanying photograph was kindly furnished by H. Thorely, of Manly. The churchyard contains a number of very old gravestones; most of them, however, are too weatherworn to be decipherable.

1809 it would be improper in him to form any intimacy with the disloyal  
 3 June. party, as, by so doing, he could not visit me,—notwithstanding which he was artfully induced to become their friend and intimate, as did Lieutenant Oxley and Mr. McMillan. Lieutenant Ellison and Mr. Sloan, purser, had been long in their interest, both before and at all times since the rebellion.

I must now beg leave to state the proceedings of the Porpoise.  
 Captain On the 1st of January the Porpoise returned from Port Porteous. Dalrymple, and brought up Colonel Paterson. Captain Porteous took command of the ship, and put Mr. Kent under arrest by my orders. The day after, I gave Captain Porteous orders to put himself under my command, and I gave him distinct and express directions verbally to keep the ship out of the interests of the rebels, and in case that any application was made to him by the chief, or any of them, he was by no means to forward it to me, but to reject it altogether, and tell them he would receive no applications—that they were to be made to me, and from me only could he receive any directions.

Porteous On the 25th of January I received a letter from Captain and Paterson. Porteous with two inclosures,\* by which it appears he corresponds with Colonel Paterson, communicates my orders to him, and his request made to me; whereas, if he had acted according to my directions, His Majesty's ship would have had her full consequence, and myself duly supported; the failure of which caused me to write the letter,† being fully determined not to allow my ship to depart or obey any directions from the present rulers.

Bligh By letter,‡ their Lordships will be informed of Captain Porteous's treated with increased severity. intention to write to them on this subject, and on the day following the receipt of it, after he had waited on me and received my orders again not to take the ship out of my sight, the guard over me was increased to seven men and one serjeant, with a letter§ from Colonel Paterson, stating that he found it necessary to suspend all communication from myself to Captain Porteous or any person in the Porpoise, "from the opposition I had evinced it was my determination of exercising to the interests of His Majesty's service by withholding the confirmation conceived necessary by Captain Porteous to his request that His Majesty's ship Porpoise should proceed to Norfolk Island."

Passage in The next day (the 28th of January) I received a letter|| from the Gambier. Colonel Paterson, declaring his determination to send me away in the Gambier, merchant ship; in answer to which I wrote to him that I denied the legality of his proceedings in depriving me by

\* See Porteous's letter, ante, p. 105, and the two letters which were enclosed, one on p. 9, the other on p. 10.

† Ante, p. 10.

‡ Bligh evidently refers to Porteous's letter of the 27th April, 1809, ante, p. 103.

§ Ante, p. 10.

|| Ante, p. 11.

force of acting as Captain-General and Governor-in-Chief, and refused to give up my naval command, or quit the colony, with my own consent. 1809  
3 June.

On the 30th of January I received the letter\* from Captain Porteous, which was unnecessary, for he had my orders and full opinion on such circumstances, and as it came through the hands of Colonel Paterson I gave no answer. I had barely come to this determination when Major Johnston (who headed the troops to seize me on the 26th January, 1808) and Captain Abbott, of the Corps, drove up in a one-horse chaise and read a written message† from Colonel Paterson, stating that unless I gave an order to Captain Porteous to proceed to Norfolk Island they would take me from Government House to closer confinement. I peremptorily refused to give such an order, and declared it was at any one's peril to remove the ship out of my sight; when, that their iniquity might be complete, they took me to a subaltern's barrack.

Johnston  
and Abbott  
interview  
Bligh.

I had but just been incarcerated, with only one servant to attend me, when I received letter‡ from Captain Porteous with three inclosures, and two days after the letter,§ with one inclosure, which were delivered to me open by Major Johnston and Captain Abbott, but which I did not reply to, as I saw, evidently, this was done to harass me in my extraordinary situation.

Porteous's  
letters to  
Bligh.

In this place I remained six days, during which time I was not permitted to see any person, and although they allowed my food to be dressed at Government House, they forbid my own servants from bringing it to me, and I always received it by two soldiers. My captain visited the rebel-chief, and Lieutenant Ellison and Mr. Sloan, purser, passed me when standing at the door for air, within ten yards, without moving their hats, and Lieutenant Oxley was the most intimate friend of that notorious character, John McArthur.

Bligh in  
close con-  
finement.

It was at the expiration of this time, finding nothing could shake my determination, Colonel Paterson made a proposition to me that if I would go to England, and not return to this territory, and would embark on the 20th of February, and sail as soon as possible, I might take command of my ship.

Paterson  
makes a  
proposition.

The object of gaining my ship being of the utmost importance, as I was to be forced on board a merchantman unless I acceded to their propositions, I signed the paper presented to me with Colonel Paterson's signature to it; for it was my duty to regain her at the risk of my life, and particularly so under any conditions which in themselves were rebellious and mutinous, and could not be lawfully complied with, independent of my duty obliging me to remain in the colony.

A mental  
reservation.

\* Ante, p. 106.

† Ante, p. 12.

‡ Porteous's letter to Bligh is printed on p. 107, ante. Its enclosures will be found on pp. 5 and 10, ante.

§ See the memorandum printed on p. 16, ante.

1809

3 June.

Bligh in  
charge of a  
King's ship.

On the 20th of February I embarked, and being in full possession of my naval command, which I had been single-handed working to accomplish for nearly thirteen months under unheard of difficulties, I sailed for this port on the 17th of March; but should not have left Port Jackson had not my officers conducted themselves in the manner beforementioned, which with other circumstances rendered my state of liberty very precarious. I arrived on the 29th; and remain in daily expectation of succour to enable me to proceed in restoring to the poor settlers and inhabitants those rights which they so justly demand, and have been deprived of by military factions.

Bligh and  
the naval  
command.

In the whole of my proceedings their Lordships will please to observe that no measures, however coercive, could force me to tarnish the British flag; and although a prisoner, I ordered the acting commander to be placed under arrest for having done so, and for which I was to expect the utmost vengeance from the rebels.

Paterson's  
proclamation.

The opportunity by which I send these despatches is the ship *Æolus*, Robert Addie, master, who has come here from Port Jackson to complete her cargo. This ship brought us a *Sydney Gazette*, in which the present ruler has thought proper, by proclamation,\* to proscribe me, and charge all His Majesty's subjects in this territory not to hold, countenance, or be privy to any communication or correspondence by personal interview, letter, message, signal, or otherwise, or with any person belonging to my family, establishment, or retinue embarked on board His Majesty's ship *Porpoise*, or with any person known to be in my or their employment, service, confidence, or intimacy now on board said vessel. This forced me to publish a counter proclamation, both of which are inclosed.†

Bligh's  
counter pro-  
clamation.The attitude  
of Collins.

It would require a volume of considerable size to contain every transaction of these persons. I have, therefore, only to add that Colonel Collins has thought proper to receive orders from these rebels at Sydney, and, uniting with them, has enforced their proclamation by a General Order enjoining every person in this settlement to comply therewith; but a curious distinction he makes between me and His Majesty's ship is, that he considers it has nothing to do with my officers; and Captain Porteous and them, under the same impression, feel no reluctance at being intimate with these persons, still persisting, as before, that they have nothing to do with what has happened to me in my government.

In this unparalleled situation, I have no resource but patience until some of His Majesty's ships arrive, which I am daily looking for. Starving me out seems to be their object.

I have, &amp;c.,

W<sup>M</sup> BLIGH.

\* Ante, p. 81.

† Ante, p. 108.

## FLOOD AT HAWKESBURY.\*

1809

Accounts of this disaster state that the first perceptible rise in the river took place in the afternoon of last Thursday se'nnight, when it rose at the rapid rate of 4 feet per hour until the water began to spread over the banks. The resident magistrates took every active precaution for the preservation of lives and property, and, as long as assistance was found necessary, such persons as were fortunate enough to be provided with boats were employed in rescuing others who were in imminent danger; and on this occasion Mr. Andrew Thompson personally signalized himself in an unremitting exertion of two whole days and nights continuance. About 4 on Saturday morning the water was at the highest, and remained tranquil for three hours, when it began very gradually indeed to fall. From the Green Hills, over the South Creek, as far as Tuckwell's Lagoon, near the Red House, was a sheet of water across which Mr. Thompson's accommodation boat conveyed persons to and fro, and all the lower situations down the river were laid entirely under water. At Bardonarrang and up the South Creek the principal losses are supposed to have been sustained; but little comparative damage has been felt upwards. At Richmond the back farms were flooded, and much of the stubble corn spoilt. At Cornwallis the water rose nearly within a rod of Ridge's house, and had it continued to rise an hour longer, it is universally conjectured it would have been equal to the last dreadful inundation,† which was considerably the highest ever experienced. It was remarkable that very little rain had fallen at Hawkesbury for several weeks previous, so that this calamity may rather be considered a phenomenon than as proceeding from any evident cause. Many experienced settlers attribute it to the bursting of a cloud upon the mountains, which, overflowing the gulph, occasioned the very sudden rise in the river. This disaster happening at a time when most of the settlers had cropped their grounds, His Honor the Lieutenant-Governor immediately ordered every assistance from the other settlements to facilitate the clearing and sowing the ground anew, and by Tuesday evening last upwards of 120 working hands were dispatched from Sydney for the purpose of assisting the sufferers. This and every other possible aid has been afforded, and on Thursday last Lieut.-Colonel Foveaux, accompanied by James Finucane, Esq., secretary to His Honor the Lieutenant-Governor, left town for Hawkesbury to enquire into the extent of damages done by the flood, and to attend as well to the distribution of labourers among the sufferers as to such other assistance as their circumstances should require. By this benevolent and efficacious measure many of the evils will, with the blessing of Providence, be prevented, which would otherwise

3 June.

The river  
rising  
rapidly.Andrew  
Thompson.Low lands  
submerged.The 1806  
flood.A meteorological  
phenomenon.Assisting the  
sufferers.\* Extract from *Sydney Gazette*, 4th June, 1809.

† This was the March flood of 1806. See Introduction to vol. vi, pp. xlii and xlv.

1809 have fallen upon the inhabitants of this colony as heavily as any disaster of the kind had ever done before, since, independent of 3 June. what has been lost of the present year's produce, an immense Danger to young crops. quantity of new sown ground would have been unproductive, and our distresses continued thus from year to year.

Statement of losses. The following statement of the losses sustained of various kinds was yesterday transmitted to His Honor the Lieutenant-Governor, viz. :—1,769 bushels of wheat ; 785 bushels of maize ; 212 bushels of barley ; 233 acres of maize ; 264 pigs ; and a few sheep and goats.\*

George's River. At George's River the water was higher by 10 or 12 feet than it had been in the memorable flood of March, 1806. At half-past 6 on Friday morning it was at the highest, being then about 34 feet above the ordinary level of the river. Its ravages are distinguishable at the height of more than 30 feet, many situations that were before solid being now perfectly excavated. The whole space, extending from the bottom of the Horse-shoe Pond to the house of Mr. Moore, was totally under water, and had the resemblance of an extensive lake. The new house of Mr. Knight is so much injured at the foundation as to render it necessary to be taken down and rebuilt. The lower part of the house was covered early in the evening of Thursday, and Mrs. Knight and family were obliged to take refuge in a loft, from whence during the night they had the mortification to perceive the water rapidly gaining upon this last retreat, and in one hour rising 33 inches. The house of Emmerson, the scite of which was about 7 or 8 feet lower than Mr. Knight's, was removed from its standing, and left in ruins. Much of the ground newly cropped was laid waste, and some stock supposed to be lost.†

Area under water.

SURGEON MACMILLAN TO ROBERT BROWN.

H.M. Ship Porpoise, River Derwent,

9 June. My dear Sir, Van Dieman's Land, 9th June, 1809.

The Botany rebellion. No doubt you have heard all the particulars of the Botany rebellion, so that I can say nothing new on that subject, and it would be imprudent in me to make any remarks. I must, however, observe that the few individuals who support the orthodox side of the question appear to me to possess nothing amiable in their disposition or laudable in their conduct. Characters so conscious of their own integrity and honor, as well as their superlative talents and unbounded power, ought not to put up with many indignities which their authority might resent and punish ; but I am convinced that harsh measures have been employed on both

An onlooker's opinion.

\* The losses in 1806 were much greater, amounting to 23,606 bushels of wheat, 59,450 bushels of maize, 4,145 bushels of barley, 3,560 pigs, 16 horses, 47 sheep, and 298 goats.

† See also the Government and General Order of 5th August, 1809, post p. 203.

sides, and you must before this time be acquainted with the decision of Ministers on this subject, as well as the popular opinion ; but I rather think you consider the subject as of very little importance either to yourself or to the nation ; but my disappointments [are] so many and serious to myself that I believe you will not be surprised at my constantly dwelling on the cause of them, nor will you wonder at my not feeling no great esteem for those I conceive to be their authors. On my arrival at Port Jackson the situation of affairs put an end to my prospects in that quarter, and I was soon ordered back to England with the Governor and his suit. I therefore disposed of all the materials I purchased in London for the purpose of preserving any specimen of natural history that should procure in this hemisphere. I likewise gave away many other articles which would now be to be of considerable value. We sailed from Port Jackson in full expectation of proceeding immediately to Europe, according to a mutual stipulation drawn up and signed by Gov'r Bligh and Lieu't-Gov'r Paterson ; but, instead of taking advantage of a fair wind, we stood off and on between Brocken Bay and Port Stevens for some days, and then we sneaked to the Derwent, where B. was received with all the fire, smoke, and bows that are generally shewn to men of rank and dignity ; but these comp'ts were not the voluntary offerings of a happy people, but rather a task imposed upon timid subjects by the mandates of a vain, weak, selfish tyrant. Cool reflection and the despicable conduct of the man soon changed the sentiments of the great men of Hobart Town, and B. began to perceive that the loyalty of this portion of his subjects was not so staunch as he at first supposed, and now a prompt obedience to Col. Paterson's proclamation has involved in the dreadful consequences of mutiny and rebellion. Here we are to remain till a sufficient armament arrive to reinstate the Gov'r and inflict due punishment on the rebels. In daily and hourly expectation of that relief, I am daily and hourly confined to the ship, cruising between Sand Point and Brown's River, so that it is totally out of my power to be of any use to you, and believe me this is one of my serious disappointments.

1809

9 June.

Macmillan  
ordered  
back to  
England.Bligh's  
reception at  
the Der-  
went.Bligh wait-  
ing for relief  
from Eng-  
land.

I have, &amp;c.,

J. MACMILLAN.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 9th June, 1809.

THE Acting-Commissary is directed to issue to all male and female prisoners victualled from the public stores the following proportion of slop cloathing, viz. :—

*Male Prisoners.*—One jacket, 1 duck frock or shirt, 1 pair of trousers or 1 pair of breeches and a pair of stockings extra, or 1 duck frock in lieu, one pair of shoes, 1 pair of stockings, 1 pair of socks, 1 yarn cap, 1 blanket, 1 ivory comb, and 6 needles.

Clothing  
for male  
convicts.

1800  
9 June.  
Females.

*Female Prisoners.*—One woman's jacket, 1 pair of shoes, 1 pair of stockings, 1 handkerchief and shift, 3 yards of flannel in lieu of a petticoat, 1 ivory comb, 6 needles, and 1 blanket.

The serving to commence at Sydney on Monday next, the 12th instant, at 8 o'clock in the morning, when the overseers are desired to attend with their respective gangs.

All former Orders relative to the issuing and receipt of slop cloathing will be rigidly enforced.

#### GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.

His Majesty's Ship Porpoise, in the Derwent,

10 June.

My Lord,

New South Wales, 10th June, 1809.

Bligh on the  
condition of  
New South  
Wales.

1. It gives me great concern to be still under the necessity to have my dispatch descriptive of the persons who have so unwarrantably conducted themselves against the welfare of this territory, which, but for their unparalleled proceedings, would have been replete with accounts of the improvement of a people who, in expectation of further benefits which were progressively arising out of faith, hope, and charity, would have become industrious and good subjects; but this reverse has caused the good to suffer, and led those whose minds were weak or vicious to be biassed by present advantages, or prospects of future which they had not sense to see could not be realised. Profligacy in others appears to complete the picture of the late rebellion, and, although a severe scourge, encourages me to hope will produce good fellowship and that purity which otherwise would have been much more remote. It is impossible, however, that the people can be in a more wretched state. Free man, but poor; the emancipated man returning from his unlawful way of life, and the unhappy prisoner under his penance of retribution, all now look with anxious hearts to the hour of relief by their gracious Sovereign.

His object  
in remaining  
in the  
colony.

2. I have not been able to render them any personal service, except remaining in the territory, that every act of the principal rulers, or their Courts, might become doubly unlawful, and their revenge kept within certain bounds, to which otherwise there was reason to apprehend there would have been no limits; imprisonment would not have been sufficient atonement to them from the honest men for being loyal.

3. I closed my last accounts\* to your Lordship when I was a prisoner in Government House. The circumstances attending my present freedom, and what has happened since, I must beg leave to request of your Lordship to become acquainted with by the following detail.

\* 23th October, 1808, and 12th November, 1808—vol. vi, pp. 737 and 807.

4. Lieutenant-Colonel Foveaux's reign continued to the 9th of January with unabated rigour, in the course of which the ships *Speke* and *Gambier* arrived ; but whatever despatches were directed to me never came to my hands.

1800  
10 June.

Foveaux's  
reign.

5. By these arrivals the New South Wales Corps was further augmented, and the officers and men who came out were united in their principles.

6. Civil and Criminal Courts were continued to be held, and a plan was now adopted to gain over those persons who had been turned out of office to accept their former appointments ; but only the Judge-Advocate, Mr. Atkins, and John Jamieson, the Superintendent of Government Stock, have become apostates ; and an opportunity soon offered to Mr. Atkins to show his principles as a rebel judge, who, with five of their magistrates, as named in the margin,\* sat on five loyal free settlers—Mr. George Suttor, Mr. Andrew McDougall, Mr. Martin Mason, Mr. John Hillas, and Mr. John Smith—for not complying with an order given out to report their property at a general muster. They all denied the legality of the demand, and would not comply with it, in consequence of which four received sentence of one month's imprisonment, and Mr. Suttor was committed for a Criminal Court, he being deemed more culpable than the others, because he had written a letter to Colonel Foveaux which was considered objectionable. On his being brought before this Court, the members of which were as per margin,† he denied its legality in very particular and strong terms, and rather than plead he told them they might do with him what they thought proper. He was then sentenced to six months' imprisonment, fined one shilling, and taken to gaol, where he found his four loyal companions. I have numerous letters from the poor settlers, and I shall take the liberty to inclose two of this honest man's,‡ being samples of the others, and particularly stating his own case. As several of the friends of Government attended, the statement in the *Gazette* of the 18th of December is tolerably correct.§

Administra-  
tion of  
Justice.

Settlers  
refuse to  
attend  
musters,

and are  
imprisoned.

7. The addresses of the free settlers to your Lordship, together with copies of those to me, which I herewith transmit, will explain the subject more fully.||

Settlers'  
addresses.

8. It became now much spoken of that the persons principally concerned in this rebellion were working by every means to realise and secure their properties. McArthur sent off a Colonial brig to China with sandal-wood under his nephew, Hannibal McArthur's care, but under a pretext of relieving the crew of

John  
Macarthur.

\* Captain Abbott, Captain Kemp, Lieutenant Lawson, Garnham Blaxcell, Robt. Fitz.

† Mr. Atkins (Judge-Advocate), Major Johnston, Captain Cummings, Lieutenant Laycock, Lieutenant Driffin, Ensign Jamieson, Ensign Lilly.

‡ Ante, pp. 1 and 21.

§ This statement will be found printed as a footnote on p. 802 of vol. vi.

|| See these addresses, ante, pp. 33, 35, 44, 46, 78, and 151.

- 1809 ship that had been lost, and taking them to a port where they  
10 June. might speedily ship themselves for India.
- Buildings. 9. During my time my object was to prepare materials in order to erect some necessary buildings. Colonel Foveaux by this means has been enabled to build a large barrack,\* which I think will allow all the troops accommodation.
- Bartering with spirits. 10. The barter of spirits, and trafficking of all kinds by the officers of the Corps and a few others, to the great injury of the people at large, went on similar to that which I have already informed your Lordship of.
- Naval officers. 11. Captain Porteous, who my Lords Commissioners of the Admiralty had appointed Commander of the Porpoise, came passenger on the Speke, and with him a Mr. Thomas Kent to be a settler. These gentlemen, being strangers in this artful school of iniquity, were led to look at things in a wrong point of view. Lieutenant Oxley, who with Mr. McMillan, surgeon, had likewise came to join the Porpoise, had been companions on the voyage out. These officers had not been long returned to England from Port Jackson in the Buffalo; they knew well how every transaction was carried on in this territory. I had received them all, particularly Captain Porteous, with hospitality, and to him I left nothing untold, directing him, when the Porpoise arrived, to put the Acting Commander, Mr. Kent, under arrest, and I endeavoured to impress upon his mind that he must not have connexion with the disloyal party, as by so doing he could not visit me. This, however, not agreeing with his inclinations, he accepted invitations from them, and, becoming particularly intimate, he separated himself from Government House, and so did the others.
- Despatches for Bligh. 12. Despatches were sent, as I understood, in this ship from your Lordship; but, as Captain Porteous and Lieutenant Oxley said they had not charge of them, the master gave them up to the rebels.
- A settler. 13. Mr. Kent† brought your Lordship's letter, desiring me to allot to him land and stock as therein stated; which, not having the power to comply with, I gave him an attested copy, and I cautioned him how he acted with the usurpers of my government.
- A Maori. 14. The New Zealand youth arrived safe, with his presents for his chief, Tippahee, to whom he had an early opportunity to return.
- Paterson arrives at Sydney. 15. Colonel Paterson arrived on the first of January, in His Majesty's ship Porpoise, she having been absent two months; and Captain Porteous, on taking command, put Mr. Kent, the then acting commander, under arrest, as I had ordered him. Colonel Paterson landed privately, at the entrance to the harbour, where

\* The barracks were situated on the hill overlooking what is now Wynyard-square.

† Mr. Thomas Kent; see vol. vi, pp. 384, 385.

a single horse-chaise received him, and was driven to town by Lieutenant Lawson ; but he has never called upon me. 1809  
10 June.

16. The *Gazette* of the 15th of January\* gives notice of his taking the command, by a very extraordinary paragraph, replete with iniquity and cunning. Hearing nothing more of them, I wrote the letter No 1,† in order to have the copy of his, which I had received from Colonel Foveaux on the 19th of October, authenticated. Accordingly, Colonel Paterson wrote to me, complying with my request. Paterson takes command.

17. By letter, No. 3,‡ to Colonel Paterson, I demanded the Great Seal of the colony, my commissions, books, and papers I had stated, in my letter to him of 8th August last, to have been seized and taken from Government House to be given up to me. To this I received letter No. 4§ in reply, refusing to do so, and by which his determination appears fixed to hold the government and wait His Majesty's instructions, while some hidden plan was intended to give reason to break it, which will hereafter be shown was really the case. Bligh demands his papers.

18. Many reports were now circulating that several leaders of the rebellion would endeavour to escape. I therefore wrote the letter No. 5|| to Colonel Paterson, declaring it was necessary that no person whatever should be allowed to quit the colony, as agreeable to his letter His Majesty's instructions would be soon received. Officers not to leave colony.

19. Letter No. 6,¶ in consequence of my having demanded my books and papers, and the Great Seal of the colony, encloses one from Major Johnston, and may be classed with No. 7\*\* to convince me of their insolent determinations, and depriving me of my despatches. Bligh's papers.

20. Fresh insults now came on. I received a letter†† from Captain Porteous, enclosing one from Colonel Paterson which he had received, thereby communicating with him, and receiving orders to have the Porpoise ready to proceed to Norfolk Island. This I had particularly ordered Captain Porteous to avoid, and to keep the ship out of the interests of the rebels ; and in case any application was made to him by the chief or any of them, he was by no means to forward it to me, but to reject it altogether, and tell them he would receive no applications—that they were to be made to me, and from me only could he receive any directions. I therefore wrote to Captain Porteous that he had received my orders, and it was at his peril to disobey them. He had been fully informed the ship was never to be removed from me, and he had Mr. Kent under arrest for having followed the orders of Lieutenant-Colonel Control of the Porpoise.

\* See Government and General Order of 4th January, ante, pp. 5 and 6.

† The letter No. 1 was merely a request by Bligh to be furnished with a copy of Paterson's letter of 29th September, 1808 (vol. vi, p. 763), which had miscarried.

‡ Ante, p. 8.

§ Ante, p. 8.

\*\* Ante, p. 9.

¶ Ante, p. 9 (note).

|| Ante, p. 9.

†† Ante, p. 105.

- 1800** Foveaux. This was on the 26th January, the anniversary of my captivity, again adopted to do me some injury or cause terror; for Captain Porteous had no sooner left me than he informed Colonel Paterson that he would not allow the Porpoise to leave the Cove, and immediately the sentinels over me were increased to seven and a serjeant placed in the verandah. At the same time I received letter No. 8\* from Colonel Paterson, depriving me of communication with the officers or any other persons of His Majesty's ship. I was further deprived of all intercourse with my friends and every person except such as appertained to my household.
- 10 June. Captain Porteous and Colonel Paterson.
- Mrs. Putland. 21. In returning home, my daughter's carriage was searched, and every article brought to the house was examined, even the bundles of grass which were for the horses.
- Proposal to send Bligh Home. 22. On the next day, 28th, I received letter No. 9,† directing me to prepare to proceed to England in a merchant ship called the Gambier, and demanded to know when I would be ready to embark, which I answered by letter No. 10,‡ refusing to comply with his commands, and demanded of him to declare categorically whether he meant to force me away.
- Porteous and the officers. 23. In the midst of these distresses I had the mortification to see Captain Porteous constantly at the barracks with the officers, and to consider all the officers of my ship were won over to the side of the rebels.
- Rev. Mr. Fulton. 24. It had been my custom to have the Rev. Mr. Fulton to perform Divine service every Sunday, but I was now obliged to ask for him, which is the purport of the letter No 11.§ This loyal man is peculiarly the object of their hatred, as he continued to refuse performing the functions of his office by any order from them.
- Bligh refuses to yield. 25. The rebels finding that under all these oppressions they could not induce me to give up the honor of my ship or receive any orders from them, they suffered me to remain quiet until the next day, the 30th—the martyrdom of King Charles—only very much annoyed by the sentinels, who, constantly heated with liquor, seemed to have been directed to bellow “All's well” with peculiar tones of hellish composition. On this remarkable day Major Johnston and Captain Abbott were sent by Colonel Paterson with a written message, No. 12,|| that, unless I caused all restrictions to be removed, by which I had prevented Captain Porteous from complying with his request that the Porpoise should go to Norfolk Island, they were instructed to remove me to a barrack until the period of my departure for England, where a servant would be appointed to attend me, and effectual measures taken to prevent orders being sent to the commander of the Porpoise.
- Paterson adopts strong measures.

\* Ante, p. 10.

† Ante, p. 11.

‡ Ante, p. 11.

§ Ante, p. 12.

|| Ante, p. 12.

26. It is remarkable that, in the forenoon, before Major Johnston and Captain Abbott came to the house, Captain Porteous wrote a letter to me that, it having been verbally communicated to him, and it being also a matter of public notoriety, that it was the intention of the present Lieutenant-Governor to send me to England in the Admiral Gambier, he, therefore, requested I would give him directions how to act on so critical an event. This letter came through Colonel Paterson ; and, as Captain Porteous had been thoroughly informed he was not to lose sight of me, I did not think it necessary to return an answer. Captain Porteous should have demanded my person, and in all cases kept himself apart from the rebels.

1809

10 June.

Porteous asks for Bligh's orders.

27. But to return to Major Johnston and Captain Abbott, who had delivered the written message, and had required some time to recover themselves from the effect of first seeing me since the 26th of January, 1808, on so extraordinary a visit in my drawing-room, before the portraits of our beloved Majesties, which were veiled, I observed that it was a fortunate circumstance His Majesty saw nothing of the transaction. After Mr. Griffin, my secretary, had taken a copy of the message, which they refused to sign, but was compared with the original, I went to my daughter, and, reconciling all our feelings to our reputation, we parted ; and, abhorring the idea of giving up my naval command, which now only remained with me, I refused to comply with their requisition, when—that their iniquity might be complete—Major Johnston forced me from Government House in a one-horse chaise. He had only drove me two hundred yards when I found my beloved child, under a vertical sun, running after me, having passed Captain Abbott, who told her she need not go for they would not let her in. Heedless of this, and despising such a want of common feeling of a human being, she got to the barrack when I did, and, seizing hold of my arm, we walked into it, passing Lieutenant-Colonel Foveaux, who came to direct Major Johnston where I was to be confined. This happened to be a subaltern's barrack. It consisted of two rooms, with a bed in one, and a sofa in the other. I had just got her to the sofa, when distress of mind, and the great heat she had passed through, overcame her ; and when scarcely brought to recollection, Major Johnston came and delivered this message : "Sir,—I am directed by His Honor to inform you that you are to hold yourself in readiness to embark on board the Estramina, schooner, when she arrives." I asked him, "Where am I to go?" "I really cannot say," he replied, in what he fancied a terrifying voice, and he retired very much confused. A bustle took place in bringing two sentry-boxes to the back of the barrack. Three sentinels were placed over me, and I had permission to have a man-servant to attend me, and this was, I am informed, by a most infamous character, Serjeant Whittle, who only from that

Johnston and Abbott interview Bligh.

Bligh removed to a barrack.

Mrs. Putland accompanies him.

Bligh in close confinement.

- 1809 denomination induces me to name him. My daughter was told  
10 June. that if she went out she would not be allowed to return again ;  
and her maid-servant was not permitted to come to her.
- Commissary 28. This unlawful and brutal transaction was no sooner known  
Palmer. than Mr. and Mrs. Palmer drove up in their carriage to demand  
admittance to me ; but they were forced off violently by Sergeant  
Whittle and the sentinels, and particularly by a Sergeant Johns.  
Mr. Palmer then drove instantly to the Colonel's door, but got  
no explanation for what had been done. At this time Captain  
Porteous came out of the house and said, "What style we move in!"
- Bligh's 29. Our dinner being brought to us, and a few other necessaries,  
prison. we took it with much gratefulness, and at night I made my  
daughter's bed, and myself lying on a sofa in the adjoining room,  
we slept composedly.
- Parleying 30. The next day, 31st of January, I was again assailed by  
with Bligh. letters. Captain Porteous sent me one, open, by Major Johnston  
and Captain Abbott, with a copy of a letter which he had received  
from Colonel Paterson, and other inclosures tending to dispute.  
I replied to Colonel Paterson by No. 13,\* telling him Captain  
Porteous must act according to the rules of the service. This was  
followed by No. 14,† wherein Colonel Paterson demands to know  
whether His Majesty's ship Porpoise shall proceed to Norfolk  
Island. To this I plainly told him, by No. 15,‡ I was brought  
up to the barrack because I refused to give an order to Captain  
Porteous for His Majesty's ship Porpoise to proceed to Norfolk  
Island, and I still persisted in the same.
- Attendance 31. Captain Abbott then came and informed me that two  
on Bligh soldier-servants were to go to and from Government House for  
and his what we stood in need of (which they did, and always brought our  
daughter. meals), and one of their wives would attend Mrs. Putland. As she  
refused this insolent and lawless offer, the case was reconsidered,  
and her servant about her person was permitted to come, but not  
suffered to leave the barrack.
- Indignities 32. The extreme heat of the season obliged us to keep the front  
offered to door frequently open, and those who passed came within ten  
Bligh. yards of it. Every officer seemed to have orders, or to be afraid  
to pay me any respect, for they all passed without moving their  
hats.
- Lieutenant 33. The succeeding day (1st of February), at an early hour,  
Draffin. Lieutenant Draffin, who had been at the seizing my person on the  
26th of January last year, and was very active among the officers,  
was attacked with violent insanity.
- Bligh to be 34. Another letter, No. 16,§ was again intruded on me, which  
sent Home stated that the ship Admiral Gambier was taken up for my con-  
veyance to England, and would sail in fourteen days. It now

\* Ante, p. 12.

† Ante, p. 13.

‡ Ante, p. 13.

§ Ante, p. 14.

became evident that they *dreaded my presence in the colony*\* when succours arrived. As I had therefore much to consider how to avoid their machinations, I wrote letter No. 17,† and received letter No. 18‡ in reply. 1809  
10 June.

35. I now became tired of writing, and the following morning, Thursday, the 2nd, I sent for Captain Abbott to know if my daughter might be permitted to go out and in, and for me to have communication with my secretary. To this message he brought me word that unless I consented to the Porpoise sailing, no restraint would be taken off. I most positively refused this, and in consequence I received No. 19,§ a letter of dictatorial power, which I did not think deserving an answer. Bligh asks a favour.

36. No friend or person could come near me, and I saw myself deserted by the officers of my ship.

37. The next day, Friday, I was told that McArthur and Johnston were to proceed to England with me in the Gambier. To such company I strongly objected, in consequence of which, I have been informed, many ways were considered how to take me away—one of which was for the Gambier, after her departure for England, to bring-to off Botany Bay, where I was to be carried by land in the still of the night, and embarked. However, it was laid aside, and the proposition marked No. 20|| was brought to me by Mr. Finucane, Colonel Foveaux's secretary, saying that Colonel Paterson saw no means of preventing my departure in the Admiral Gambier with McArthur and Major Johnston unless I went Home in the Porpoise under the conditions herein specified; in which case, if I consented, I might return to Government House. In answer to this I sent word I should consider it. Uncongenial shipmates.  
Paterson offers an alternative.

38. The general artifice of the rebels produced daily, and sometimes hourly, an extension of my mind to counteract them which is past description; even eating my victuals after the manner they were brought caused an apprehension of unnatural consequences, and which I afterwards found has been expected by many. Bligh's suspicions.

39. The object of the proposition came now under my consideration. I found the presentation of it, and the fulfilment thereof, contrary to all political, moral, or religious precepts, and the duty I owed to my King. Paterson's proposal.

40. The design of the rebels to force me away in a merchantman was now become a most desirable object, as succours to me were daily expected; and the only means I had of avoiding it was to sign the paper, No. 21,¶ which was presented to me by Captain Abbott and Mr. Finucane, with Colonel Paterson's signature affixed to it, as by getting possession of my ship I was enabled to remain in or about the territory, which was all I had in my power to do for the good of the country. Bligh accepts his terms.

\* The *italics* are Bligh's.

† Ante, p. 14.  
‡ Ante, p. 16.

§ Ante, p. 14.  
¶ Ante, p. 17.

§ Ante, p. 15.

- 1800**  
**10 June.**  
 Return to Government House.
- Witnesses to go to England.**
- Officers engaging in trade.**
- Colonel Paterson's treatment of Bligh.**
- Land grants to naval officers.**
- Bligh takes possession of the Porpoise.**
- Officers and privates.**
- Commissary Palmer.**
41. Circumstances being so far settled on the 4th February, our carriage was sent for and we proceeded to Government House, where I was confined under three sentinels as before.
42. The arrangements for our embarking on the 20th became necessary, for I had the greatest reason to believe they repeated of their conduct to my going on board.
43. On the 7th February, three days after I had left the barrack, I received letter No. 22 from Colonel Paterson, informing me he enclosed one from Major Johnston, naming the witnesses he meant to take Home, and one letter of mine, written soon after the rebellion, at the time I was to have been forced Home in the Dart in March, 1808,\* when positive assertions from the rebels (which I have since found were only meant to harrass me) fluctuated my opinions.
44. During my residence in Government House to the time of my embarking, I received accounts daily of various improper proceedings. The articles for barter in the store were confined to the officers, who retailed them at immense profit; the provisions which had been sent out from England were neglected, and lay exposed to the weather in the street and jail yard; and a visionary government, replete with every illicit practices and violent measures, to the dread of every loyal person, continued to cause considerable uneasiness. I have little doubt, my Lord, you will receive mild and complacent letters from Colonel Paterson, as if everything he does is through absolute necessity; but I feel it my duty to say that, whether he has acted by the opinions of others—which I expect will hereafter be pleaded—or by his own, he has exceeded what I have met with since the rebellion from Major Johnston and Colonel Foveaux.
45. To influence my officers, he has given Captain Porteous, Lieutenant Oxley, and Mr. Kent, late Acting-Commander, grants of one thousand acres of land each, which they have been weak enough to consider valid; and of the Purser he has purchased a house for about three hundred pounds, paid for in cattle; and every indulgence and attention was shewn to them to accomplish the end of disuniting the ship from me.
46. The day of my embarkation being arrived, the sentinels had orders not to interrupt my proceeding to my boat, and I went on board and took possession of my ship, which I had been single-handed working to accomplish for nearly thirteen months under unheard of difficulties.
47. A number of officers of the Corps were at the guard-house, which I had to pass; and, while they paid me not the smallest respect, the privates of the guard turned out of their own accord, touching their caps.

\* This letter—dated 25th March—is printed on p. 547 of vol. vi. Johnston's letter—dated 3rd February, 1808—is printed on p. 16, ante. Paterson's letter No. 22 was merely a covering letter, and is omitted.

48. Mr. Commissary Palmer having refused to comply with various requests to arrange particular parts of his accounts, and shew the debts due by Government, in order that bills might be drawn for their liquidation, Colonel Paterson thought proper to prevent his returning to England; in consequence of which I wrote the letter, No. 23,\* demanding no obstruction to be thrown in his way, and was answered by letter No. 24†—a letter conspicuous in his correspondence for mutiny and impertinence.

1800

10 June.

49. I heard no further from him until a fortnight afterwards, when I received a letter, No. 25,‡ offering me certain papers and arms which had been taken from me on the 26th of January, 1808, which I did not think proper to accept or return an answer; and since the receipt of this I have not been troubled with any more letters.

Bligh's papers and arms.

50. You have now, my Lord, the general transactions up to my getting myself out of the hands of as presumptuous a set of rebels as ever existed, whose minds are replete with every art and dissimulation; but although thus far in a state of liberty, yet circumstances led me to doubt of preserving it, for my ship appeared to be still theirs, as secretly visitors of the rebel party came on board to my officers. Their intimacy became stronger every day, and Captain Porteous told me they had nothing to do with what had happened on shore.

The Porpoise in Sydney Harbour.

51. From undoubted information of my friends, I was assured that the act of the rebels permitting me to be out of their custody was much regretted by them, for that I should have been kept as a hostage. Plans were now in agitation to get hold of my person by boarding with a number of the New South Wales Corps, which, with the ship not being ready for sea, and not having a person on whom I could rely, was not at all impossible. I therefore made up my mind to leave Port Jackson for this place, where my authority equally existed over the territory, until succours might arrive from your Lordship; and where I have directed Mr. Com'y Palmer to send me information upon the event taking place, in case they should arrive there first. This I thought the most profitable way of employing my time, as I knew your Lordship wished me to see the settlement. In consequence, I sailed on the 17th of March, leaving with Mr. Palmer a proclamation for each master of the merchant ships, declaring the New South Wales Corps and others in rebellion, as in enclosure K,§ and forbidding them, at their peril, to take any of the persons therein mentioned out of the colony.

Bligh, fearing a surprise, sails for the Derwent

Proclamation entrusted to Palmer.

52. In such a difficult situation as I have been placed, and the multitudinous papers I have received, your Lordship, I hope, will excuse all irregularity or deficiency of information; and I beg leave to transmit, in addition to those papers I have already named, an address from the loyal civil officers and gentlemen

Addresses from civil officers and settlers.

\* Ante, p. 45.

† Ante, p. 45.

‡ Ante, p. 63.

§ Ante, p. 66.

1800 at Sydney,\* under impressions of my returning to England, which  
 10 June. with the addresses of the free settlers of Bankham Hills† and  
 Hawkesbury‡ will, I hope, give all the information immediately  
 necessary; for by the dread and horror which the people have  
 been kept in, they have distrusted each other, to make up for  
 which I have had their loyalty expressed by many separate letters,  
 as stated to your Lordship in the beginning of this despatch.

Arrival and  
 reception at  
 the Derwent. 53. It was on the 29th of March we arrived here, after thirteen  
 days' passage, and the next day proceeding further up the harbour,  
 I sent an officer to wait on Colonel Collins, and wrote to him a  
 note announcing my arrival. He soon after waited on me. The  
 next morning, Friday, the 31st, I landed under the necessary  
 salutes, and was received by the Colonel, Lieutenant Lord of  
 the Marines, Mr. William Collins, Naval Officer, the Rev. Mr.  
 Knopwood, and the Royal Marines under arms, and with cheers  
 from the few poor inhabitants.

Collins and  
 his officers. 54. On my entering Government House, Colonel Collins presented  
 me with a state of the settlement; but I did not see the rest of  
 the civil officers, at which, expressing my surprise, he appointed the  
 morrow for introducing them to me. After a short stay I returned  
 on board. In the afternoon Mr. Humphrey, the Mineralogist,  
 waited on me to pay his respects on behalf of the civil officers who  
 had been absent, and had deputed him to assure me that their non-  
 attendance at my landing had been occasioned by Colonel Collins  
 telling them there was no necessity, and at which they felt extremely  
 hurt, thinking it to have been done with design to give me an  
 unfavourable opinion of them. Such impressions I endeavoured to  
 remove, and assured him that I would see them the next day, which  
 took place; but Mr. Bate, Judge-Advocate was not allowed to  
 appear, nor Mr. Harris, the surveyor, the latter being under arrest.

Government  
 House at  
 Hobart. 55. On the 8th of April I occupied Government House, a poor  
 miserable shell, with three rooms, the walls a brick thick, and  
 neither wind nor water proof, lately built, and without conveni-  
 ences. Colonel Collins was in it on my arrival, but he insisted on  
 removing to a house equally convenient. My daughter was now  
 in a very weak state, which required her to be removed from the  
 ship, while I was under the necessity to sleep on board every night.

Bligh and  
 Collins. 56. That the utmost cordiality might subsist between Colonel  
 Collins and myself, I desired him to consider that I should not  
 interfere in his internal arrangements, and in no other way but  
 with respect to the Norfolk Island settlers, concerning whom your  
 Lordship would expect particular accounts.

57. I then requested of him to show me the country; but he  
 excused himself, and gave directions to Lieutenant Lord to accompany  
 me, and with this officer I made only one visit.

\* Ante, p. 44.

† Ante, p. 46.

‡ Ante, p. 78.

58. As time advanced, there appeared something very suspicious. I could get no opinion from Colonel Collins. He would hear everything, but say very little; and in particular parts of etiquette, he was inattentive, as likewise in decorum.

1860

10 June.

Collins's bearing.

59. A ship called the Hunter being about to depart for Port Jackson when I came here, Colonel Collins had written to me by her. The letter was in consequence redelivered, and is enclosure N.\* This letter states that he had entered into an engagement with Mr. Campbell upwards of two years since to supply the settlement from India with three hundred head of cattle, and that two hundred and forty-five having been delivered safe from the Hunter on Government account, he requested I would do him the honor to sanction the proceeding. I acknowledged personally to Colonel Collins receiving this letter; but I could not possibly approve of a transaction which was without my knowledge, and contrary to your Lordship's instructions, by which I should have supplied the settlement from Port Dalrymple. Besides, the contract was unwisely made, or not fulfilled; for by bringing these poor, miserable Bengal cattle here in the beginning of winter, instead of the summer, the deaths which I observed had taken place would continue, and reduce them to a very small number; and at the time of the contract, likewise, the evacuation of Norfolk Island being not in contemplation, it would have had no influence in making it.

Cattle from India.

An unwise move.

60. On the 23rd of April the ship *Æolus* arrived from Sydney, and a day or two afterwards a rebel *Gazette* was circulated, which had been brought down from thence, wherein a proclamation† by Colonel Paterson declared me proscribed, and forbid any person having communication with me, my family, establishment, retinue, or with any person known to be in my confidence. This *Gazette* I enclose, as one of the most consummate proofs of ignorance and villainy ever produced. Its intention seemed designed to show that I was distinct from my ship, and that what was applied to me was not to be considered attached to my officers and crew—that is, His Majesty's ship.

Paterson's proclamation.

61. The proclamation having become public, I lost not a moment in communicating with Colonel Collins. The ideas he formed on it he did not disclose, but I told him I should issue a counter proclamation. The printing press he had was to be used for the purpose; but when it was to be put in use the ink was missing, and there was every reason to believe it had been taken away the night before with design, which deprived me of the convenience, and I was obliged to write the necessary number of copies that were to be distributed, the first of them, of which the enclosure P‡ is a copy, I sent to Colonel Collins with letter, telling him my intentions; and on the printing-ink being taken away I wrote

Bligh issues a counter proclamation.

\* Ante, p. 80.

† Ante, p. 81.

‡ Ante, p. 108.

1809  
10 June.  
Collins  
refuses to  
circulate  
Bligh's pro-  
clamation.

The officers  
divided.

News from  
Sydney.

Collins  
breaks with  
Bligh.

A sentinel  
removed.

to him letter No. 3,\* directing the proclamation I had sent him to be circulated. Finding some latent objections were against this proceeding, I sent a written order, No. 4,† to have my proclamation read in the public Town-place, which Colonel Collins refused, as stated in letter of his, No. 5.‡ This letter informs me he had convened the officers of the settlement, and that it appeared to them and to himself highly improper to publish my proclamation; but Mr. Fosbrook, Deputy-Commissary, Mr. S. Anson, Surgeon, Mr. Bowden, Assistant-Surgeon, and Mr. Humphrey, Mineralogist, were not allowed to give their opinions, and Colonel Collins, Lieutenant Lord, Mr. Knopwood, and Mr. Collins, Naval Officer, had determined on the opposition before they met. I was informed of this by Mr. Humphrey and Mr. Fosbrook, who begged I would not consider them as agreeing to Colonel Collins's letter and refusal to publish my proclamation, and I wrote letter No. 6§ to show the disobedience of my orders.

62. On the 19th of May the Pegasus, Chase master, arrived from Sydney with convicts, and by her I found Colonel Collins had received orders from Colonel Paterson respecting his proclamation; but, not hearing from him, ¶I wrote on the 22nd No. 7,|| out of motives of humanity, to guard him against putting in force such proclamation, as I had heard from my friends at Sydney that the rebels there had intimation of succours being on the way here to remove the New South Wales Corps, and that serious examples would be made of the officers. On his receiving this letter he gave my officer, who had delivered it, No. 8,¶¶ dated the day before, vauntingly inclosing a printed copy of Colonel Paterson's infamous proclamation and his General Order putting it in force to the utmost of his power.

63. In the letter to which I beg leave to draw your Lordship's attention, he throws off all obedience to me.

64. The duplicity of this officer was now seen through by me, and there is not a shadow of doubt that, if I had not retired from the shore, he would have had me under confinement similar to that I had been in before.

65. On the 24th of April Colonel Collins dined with us, as he frequently had done during the fortnight we had been on shore; but before dinner I found the sentinel before my door had been taken away, and it had been reported on board, by Lieutenant Breedon of the Marines, before I knew of it. On asking Colonel Collins the reason of this, he said that his men had fallen sick, and he had forgot to mention it to me; but this was not the case, and the sentinel was still kept on at his own house. The next morning I removed my daughter again to the ship, very little restored in strength, from the effects of what she had long suffered.

\* Ante, p. 112.

† Ante, p. 113.  
‡ Ante, p. 162.

§ Ante, p. 125.  
¶ Ante, p. 150.

§ Ante, p. 125.

66. In addition to this transaction of removing the sentinel, the very next day, the 25th, a General Order, of which the enclosure Q\* is a copy (the original of which I have got), was stuck up, forbidding any person from addressing Governor Bligh by letter or petition without the previous knowledge of the Governor of the settlement, in default of which the person offending would be brought before the magistrates to answer for the same,—signed "DAVID COLLINS, L't.-Gov'r."

1809  
10 June.

An  
obnoxious  
order.

67. Nothing, perhaps, could have been more fortunate than my removal on board my ship, as from her I could have expected no relief.

68. With respect to the hackneyed expressions, of politeness in his letter, I am bound to notice the second paragraph, where he regrets that his wishes to promote my personal convenience had not been successful, and that his house had not for four weeks been of that accommodation for which the use of it was requested.

Collins's  
polite  
expressions.

69. The sentinel being taken away, and the General Order just mentioned, are two reasons for my quitting Government House; but a very principal private reason exists also, and that was—walking with his kept woman (a poor, low creature) arm-in-arm about the town, and bringing her almost daily to his office adjoining the house, directly in view of my daughter. As a military offence this was very great; but it was in a moral and civil point of view as great an insult as could be offered. He should not be surprised, therefore, at my avoiding it.

Immorality  
in high  
places.

70. His third paragraph alludes to an order (inclosure R)† which I thought proper to give for all boats except the Lieutenant-Governor's to come within hail of the ship, as it was highly necessary to the fulfilment of my duty while I remained in the port.

The order  
concerning  
boats.

71. Lieutenant Lord of the Marines had early been the subject of conversation between Colonel Collins and myself. He had been at Sydney while I was a prisoner there, and was a friend of the rebels. I found, likewise, he has Colonel Foveaux's appointment to act as a magistrate, and he returned with a free pardon to a convict woman of infamous character, who he immediately was married to under Colonel Collins's special license, by Mr. Knopwood, the Chaplain. The pardon being given by Colonel Foveaux, of course his wife is still a convict.

Lieutenant  
Lord.

72. Under all these circumstances, and various other accounts, I found this place to be Sydney in miniature. All the indulgencies were put into the hands of a few to accumulate wealth, and the poor the sufferers.

Hobart.

73. Upon what principle Colonel Collins has done it I know not; but a Mr. Collins† has been appointed Naval Officer at fifteen

William  
Collins.

\* Ante, p. 101.

† Ante, p. 149.

‡ This was William Collins, who came out with Lieutenant-Governor Collins in the expedition intended to settle Port Phillip—vol. v, p. 252.

1800. shillings a day, who, in partnership with Lieutenant Lord, professedly keeps a shop, and engross the advantages of trade to the great injury of the settlement.

74. Mr. Collins is also called "Superintendent of Public Works"; but except Government House, which is a miserable specimen of his art, here is nothing done but a shell of a building called an Orphan School, alternately used for the shelter of cattle and men; a blacksmith's shop; a deplorable house in the lumber yard; under the shed of which Divine service is performed; a new brick store began, but the walls only raised about ten feet, and remaining in that state; and an old storehouse, built with plank and thatched since the beginning of the settlement, that does not contain half the Government provisions, the other part lying constantly exposed to the weather. The other buildings of the town are merely huts with two or three rooms; of such habitations there are about two hundred. Between them runs a very fine rivulet, on which several water mills may be erected; one only, however, is building, and belongs to Mr. Collins and Lieutenant Lord.

75. I am sorry, my Lord, to see that my visit here is not attended with the good consequences it might have been. The country, I think, will turn out very well for agriculture, and in some places the produce of grain is great. It is very hilly, covered with wood, but all parts are very accessible except the interior high mountains. I have seen the settlement of New Town, about two miles from this, where Government has a small farm. It is a pretty part of the country, and has the only fine fresh water rivulet besides Hobart Town in this neighbourhood.

76. In the winter months all the valleys have more or less fresh water in them, but the scarcity of it in some places has induced the settlers to sink wells.

77. The harbour is in every respect commodious for ships, and it appears at present to me that the settlement as holding a Lieutenant-Governor will hereafter be found to render none necessary at Port Dalrymple, which, however, may be kept as a post if causes require it, and intercourse can be had by land.

78. The number of the late inhabitants of Norfolk Island now here are one hundred and ninety six men, one hundred and seven women, two hundred and seventeen children, and fifteen prisoners. These poor people say they suffered and are still suffering the greatest hardships. I have visited many of them, and their situations, I assure your Lordship, do not contradict their assertions. They complain of not being recompensed for their losses, but became sensible of my admonitions to bear them with fortitude until they could be relieved, which a regular government would speedily do. I have brought them to consider, also, that their misfortunes are solely to be attributed to the rebellion, and not to

Colonel Collins, as he had but little in his power to grant them; and should it be His Majesty's commands that I remain in this Government, they shall immediately come under my attention. 1809  
10 June.

79. The people in general having, according to custom, intended to address me on my arrival, they drew up one which was left at a house for signature, but the owner became the object of suspicion. He was put to prison by Lieutenant Lord, who tore the address. Nevertheless a respectful address by a few has been conveyed on board to me since Colonel Collins's prohibition, and of which the inclosure S\* is a copy. An address  
from the  
inhabitants.

80. It was with much fear Mr. Palmer wrote a letter by the Pegasus, informing me of the outrage committed by the rebels on himself and Mr. Hook, a gentleman from India, who arrived about nine months' since. They were brought before a Bench of Magistrates, and then a Criminal Court, for delivering my proclamation mentioned in paragraph 51†; and, upon their refusing to plead, they sentenced Mr. Palmer to three months' imprisonment, and Mr. Hook to one month, each to pay a fine of fifty pounds. That such loyal subjects should be under the persecution of these monsters of iniquity is truly deplorable. They have borne their imprisonment with great fortitude, looking forward to that return of justice from their country which alone has supported their minds under a long trial of resistance to unlawful measures put in severe course against them. Palmer and  
Hook

81. From these gentlemen I have learnt that the Gambier has sailed from Port Jackson with Major Johnson, McArthur, Surgeon Harris, Surgeon Jamison, and Walter Davidson. I mention this circumstance that the master of the Gambier, Edward Harrison, may be taken with the others wherever they may be found. The Gambier  
sails.

82. I send these dispatches by the Æolus, Robert Addie master, a merchant ship, bound to London, who I hope will prove faithful to the trust reposed in him. A number of private letters being sent to me, I beg your Lordship's pardon in placing them in the same box for security, as the different individuals have solicited. The mails.

83. I now remain, my Lord, under the most embarrassed situation that can be conceived, in a small ship, without power to relieve myself, but which I am reconciled to in doing my duty to the utmost, and conscious of the support I shall receive from your Lordship.

I have, &c.,

W<sup>M</sup> BLIGH.

P.S.—I have omitted to mention, my Lord, that the Duke of Portland and Æolus, transports, arrived at Port Jackson in the month of January, and that whatever despatches were sent by them the rebels seized, as they had done before.—W<sup>M</sup> BLIGH. Despatches  
seized.

\* Ante, p. 151.

† Ante, p. 177.

1809

## GOVERNMENT AND GENERAL ORDER.

16 June.

Head-quarters, Sydney, 16th June, 1809.

A deserter.

AT a General Court-Martial held at Sydney, on the 16th instant, of which Major Abbott of the New South Wales Corps was President, was tried Garrett Armstrong, private soldier in His Majesty's New South Wales Corps, charged with having deserted from the said Corps, and not having returned until brought back by a party, of which charge he was found guilty, and sentenced to be transported as a felon, and to serve as a convict in New South Wales or its dependencies during the term of his natural life. His Honor the Lieutenant-Governor has been pleased to approve of the sentence of the Court, and has directed it to be carried into effect accordingly.

## GOVERNMENT AND GENERAL ORDER.

24 June.

Head-quarters, Sydney, 24th June, 1809.

Detainers  
for debt.

As great inconveniences, unattended with any benefit whatever, have arisen from detainers for debt being lodged in the Secretary's office against persons leaving the colony, notice is hereby given that the same will be discontinued from the date hereof; but it must be clearly understood that usual information of such intended departures is to be inserted in the *Sydney Gazette* at least twice, in order that their creditors (if any) may have due notice thereof, to enable them to recover their respective demands by civil process or otherwise, as the case may require.

## LIEUTENANT-GOVERNOR COLLINS'S GENERAL ORDER.

Hobart Town, 24th June, 1809.

Collins  
forbids any  
communication to be  
held with  
Bligh or his  
family.

It having been represented to the Lieut.-Governor that some of the settlers, unmindful of the obedience they owe to the orders of the Government, have held correspondence and communication with William Bligh, Esq., now on board His Majesty's ship *Porpoise*, contrary to the tenor of the proclamation published in this settlement on the 21st\* of last month, they are hereby informed that he is determined to punish, in the most exemplary manner, and to the utmost extent of the law, any settler or other person who shall be proved to have held any correspondence or communication, either directly or indirectly, with the said William Bligh, Esq'r., or with any of his family during his stay in this port.

DAVID COLLINS,  
Lieutenant-Governor.

## LIEUTENANT-GOVERNOR COLLINS TO CAPTAIN PORTEOUS.

26 June.

Sir, Government House, Hobart Town, 26th June, 1809.

A boat fired  
at.

I have been informed by the coxwain of one of the Colonial boats that, as he was returning to the settlement from Ralph's Bay, whither he had been on the public service, he was twice fired at with ball from His Majesty's ship under your command, and compelled to go alongside her, without any obvious reason save that

\* Ante, p. 152.

of manifesting a determination to persevere in an act that cannot be viewed in any other light than an insult to the settlement under my orders. I am, therefore, under the painful necessity of informing you that since, unfortunately, I cannot prevent the repetition of such an offensive proceeding, I can only resort to such measure of retaliation as is within my power, and which I am resolved to put in force by giving orders to my centinels to fire at every boat which may approach the settlement from your ship, and prevent their landing thereon any persons belonging to her.

1809  
26 June.

Bligh's boats  
to be treated  
similarly.

I think it necessary to give you this notice of a conduct which I shall certainly observe until the boats of the colony can pass up and down the river without being interrupted by your ship.

I am, &c.,

DAVID COLLINS.

GOVERNOR BLIGH TO CAPTAIN PORTEOUS.

Porpoise, in the Derwent,

Sir, 26th June, 1809, half-past 6 in the evening.

The letter which you have presented to me just now from Colonel Collins, directed to you, does not require any animadversions of mine. I am sure of your treating such a daring insult to a captain of a British man-of-war with the contempt it merits.

Porteous  
and Collins.

I am, &c.,

W<sup>M</sup> BLIGH.

LIEUTENANT-GOVERNOR COLLINS TO CAPTAIN PORTEOUS.

Sir, Government House, Hobart Town, 27th June, 1809.

27 June.

I had the honour of receiving your letter of this day's date,\* by Lieutenant Ellison, informing me of your having sent an officer on shore for water for the daily use of His Majesty's ship under your command, and stating, in the event of any interruption being given to him, your intention of representing the same to the Lords Commissioners of the Admiralty.

A watering  
party for-  
bidden to  
land.

I have, in return, to acquaint you that it was not without extreme reluctance, and the fullest consideration, that I came to the determination signified in my letter to you of yesterday's date, and which I have not seen any occasion to alter, nor can, until I shall be assured from you that the boats of this settlement may pass uninterrupted up and down this river.

I have, &c.,

DAVID COLLINS.

SURVEYOR GRIMES TO THE TREASURY COMMISSIONERS.

150, Fenchurch-street, 28th June, 1809.

28 June.

THE memorial of Charles Grimes, Surveyor-General of Lands in New South Wales,—

Respectfully sheweth :—

That your Lordships' memorialist was ordered to England from New South Wales, in April, 1808, by Major Johnston, to be the bearer of his despatches to the Right Honorable Lord Castlereagh.

Surveyor  
Grimes in  
England.

\* Porteous's letter is not available.

1809  
22 June.  
Without an  
income.

That your memorialist has not been able to obtain permission to return to his duty, nor has he received any pay for upwards of two years.

That your memorialist has not now the means of living; and, conceiving himself still a servant of the Crown—having received no intimation to the contrary—is prevented entering into any pursuit to obtain a maintenance.

Your memorialist respectfully prays that your Lordships will take his distressed situation into your consideration, and grant him such relief as in your judgements may seem meet.\*

CHARLES GRIMES,

Surveyor-General of Lands in New South Wales.

#### GOVERNMENT AND GENERAL ORDER.

1 July.  
The Orphan  
Fund.  
  
General  
muster.

Head-quarters, Sydney, 1st July, 1809.

The committee of the Gaol and Orphan Funds will meet on Wednesday next, the 5th instant, for the settlement of their accounts; and in future a meeting for the same purpose will take place quarterly—viz., on the first Monday in July, October, January, and April.

The general muster which was commenced by Lieut.-Governor Foveaux on the 22nd of May last, and the completion of which was postponed on account of the inundation of the Hawkesbury, will be continued, agreeable to the General Orders of the 13th of May,† as follows, viz.:—At George's River, on Saturday, the 8th instant, at Colonel Johnston's house; at the Green Hills, Hawkesbury, and the South Creek, on Friday, the 14th instant; at Richmond Hill and the Nepean, on Saturday, the 15th instant; and at Caddi, Portland Head, and down the river, on Saturday, the 22nd instant.

#### GOVERNMENT AND GENERAL ORDER.

3 July.  
Copper coin.

Head-quarters, Sydney, 3rd July, 1809.

THERE being a large sum in copper coin in the hands of the Acting-Commissary, he is directed to issue it (until further orders) in payment for animal food received into His Majesty's stores.

#### GOVERNMENT AND GENERAL ORDER.

6 July.  
Weekly  
returns.

Head-quarters, Sydney, 6th July, 1809.

THE Acting Commissary is directed to give positive directions to the several storekeepers at Sydney, Parramatta, and Hawkesbury, and to the superintendent of Government stock, that a weekly return be regularly made by them to the Lieutenant-Governor of the receipts and expenditure of all provisions, and the increase and decrease of all Government stock, at the above places.

The returns to be sent under cover to the Secretary and left at his office.

\* See the letter of Under-Secretary Cooke, dated 8th July, 1809, post p. 157. † Ante, p. 121.

UNDER-SECRETARY COOKE TO CHARLES ARBUTHNOT.\*

1890

Sir,

Downing-street, 8th July, 1890.

8 July.

I have laid before Lord Castlereagh your letter of the 30th June, inclosing a petition† from Mr. Grimes, praying payment of the salary due to him as Surveyor-General of Lands in New South Wales; and I am directed by His Lordship to acquaint you, for the information of the Lords Com's of the Treasury, that it appears, when a mutiny took place New South Wales, and the Governor was put in arrest, Mr. Grimes took part with the mutineers, acted as Judge-Advocate under Col. Johnston, who had usurped the Government, and was sent by him to England; and that under these circumstances His Lordship does not think it proper that any salary should be issued to him in this country, he having thus acted, and having no regular leave of absence from His Majesty's Governor.

I am, &amp;c.,

E. COOKE.

GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.‡

His Majesty's Ship Porpoise, in the Derwent,

My Lord,

New South Wales, 8th July, 1890.

The opportunity by which I have again the honor to write to your Lordship is by the ship Elizabeth, Alexander Bodie master.

\* Arbuthnot (or Arbutnot) was an officer in the Treasury.

† See petition referred to, dated 28th June, ante, p. 185, and further correspondence, 10th August, 1890, post, p. 204. The following letters were sent in by Grimes shortly after his arrival in London:—

"21, Crown-street, Westminster,

"1st November, 1890.

"Sir,  
"I have waited with the most anxious suspense since the interview you last honoured me with, hoping that you would have further considered my situation, and that I might be allowed to draw my pay. I have no other means but the assistance of my friends to support me.

"I have felt much mortification from that part of your communication to me, wherein you doubted my ever being suffered to return to my duty in New South Wales. Should I have so far displeased His Majesty's Ministers as to induce them to dismiss me, I trust that from near twenty-two years' services, and seventeen of those in that distant country, the Secretary of State will be pleased to take my case into consideration, and allow me to retain the 5s. per day which my past services have been thought deserving of.

"I have, &c.,

"Edward Cooke, Esq.

"CHARLES GRIMES,

"To which I received no answer."

"Surveyor-General of Lands, N.S. Wales.

"My Lord,

"Westminster, 6th December, 1890.

"Nothing but the most earnest necessity—that of not having the means of subsistence—could have compelled me to intrude myself on your Lordship's notice. I was ordered from New South Wales by Lieut.-Colonel Johnston to be the bearer of his dispatches to your Lordships. I have upwards of fifteen months' pay due to me as Surveyor-General of Lands, for which I made application to Mr. Cooke, and was informed by him that he could not give me an order for it. Being obliged to remain in London at a very heavy expense, induces me respectfully to entreat your Lordship will direct that I may receive that pay which is due to me; and if I might be allowed to return to my duty by the first opportunity, it would confer the greatest obligation on

Yours, &c.,

"CHARLES GRIMES,

"The Right Hon. Lord Castlereagh.

"Surveyor-General of Lands, N.S. Wales.

"I received no answer."

‡ Bligh sent a copy of this despatch to Sir Joseph Banks, in the shape of a private letter. Except for the omission of the word "Lordship," the wording of the two is identical. Bligh evidently kept Banks informed of every transaction; and it is a remarkable evidence of the semi-official light in which Banks was regarded by the British Government in all matters connected with the Colony, that Bligh should deem it appropriate to send what was practically the one letter, officially to Castlereagh, privately to Banks.

1809

8 July.

Bligh's  
previous  
despatch.  
Collins's  
attitude.

2. My despatch to you, my Lord, by the *Æolus*, on the 10th ultimo,\* informs your Lordship of Colonel Collins enforcing Colonel Paterson's proclamation, and declaring that he would have no further communication with me.

3. As we have advanced in our hopes of succours arriving to us, but which are not yet come, I have been obliged to bear with further insults from Colonel Collins, which he has carried to such lengths as to prevent an officer in the ship's boat taking water from the rivulet which runs through the town, and resisting our getting supplies.

His corres-  
pondence  
with  
Porteous.

4. Colonel Collins's communications having been with Captain Porteous, he will, as commander of His Majesty's ship, no doubt transmit the correspondence to my Lords Commissioners of the Admiralty; but I shall trouble your Lordship with the inclosure (No. 1),† being copies of two of these letters, forming the strongest species of mutiny and rebellion that ever were penned. The circumstance alluded to was that (in consequence of my order marked R,‡ paragraph 70 in my last despatch) a boat was hailed by the officer of the watch to come nearer the ship, but she refused to do so, and in consequence, according to general custom, he ordered the centinel to fire over her, which brought her to; but no detention took place, the motive being to see if any deserters were secreted, as we had lost several of our men—a set of characters the police take no trouble to apprehend.

Bligh await-  
ing aid from  
England.

5. Such insults I found difficult to be borne; but the unhappy situation of the country, and regular means so soon expected by which due course would be had to chastise this conduct, I forbore risking a civil warfare, which might have been productive of many calamities.

Smuggling  
provisions  
on board  
Bligh's ship.

6. We have hitherto got some fresh provisions from two of the settlers, Guest and Morgan, who have run all risk to supply the ship, but we were in want of grain, and only one settler had a small quantity at all. This person, whose name is — Pit, having sent a small quantity by another settler called McCloud, it was agreed on to be taken; but no sooner was this done than accounts were carried from the ship of the circumstances, and Pit and McCloud were taken to prison. General Orders, one of which I enclose a copy, No. 2§ (the only one I have been able to procure), I have heard were increased and enforced; and these persons are now under a heavy penalty with two sureties, in case they have either directly or indirectly any communication with His Majesty's ships.

7. This settlement and Port Dalrymple being now under a common intercourse within six days' journey on foot, and a cart having been driven with merchandise from one place to the other,

\* Ante, p. 168.

† See the letters from Collins to Porteous of 26th and 27th June, 1809, ante, pp. 184 and 185.

‡ The Order referred to is printed on pp. 149–50, ante.

§ Ante, p. 101.

it is a momentous concern that a set of free booters (bushrangers as they are called) should be increasing in their numbers throughout the country. Report states, that about sixty, and some of them well armed, are now in the woods, and have a breed of good dogs with which they kill kangaroo. The hind quarters of these animals are trafficked with the settlers and town's people for grain and sugar, or what they can get; and the officers, who have servants employed as hunters, find a convenience and profit from these ruffians, whom no attempt is made to apprehend. Some of our seamen are among them, who have been met with in Hobart Town by their shipmates, to whom they expressed their liking to the mode of life they had taken up. However, on the restoration of a regular government they must be brought to order, or they will become extremely formidable and dangerous to the settlement. No colony can thrive under a general want of morality and virtue as is in New South Wales; and nothing will prepare the way to procure such blessings but turning all the officers and principal persons who have revolted out of it—the Marines as well as the New South Wales Corps.

1809

8 July.

Bush-  
rangers.Kangaroo  
flesh.Military  
officers.

8. On the 21st of last month the *Estramina*, Colonial schooner, arrived from Port Jackson; but such has been the fears of my friends there, they did not write to me. The master, however, stated that strong measures were resorted to against the loyalists, and the most artful means used to win over every person from holding any opinion in their favor, by granting to them land, leases, cattle, and other indulgencies. He left Port Jackson the 2nd, at which time nothing had arrived from England since the Sydney Cove. Mr. Campbell was under bail to appear before a Criminal Court for refusing to act as coroner, agreeable to the order of Colonel Paterson, on a person who had hung himself. This order is supposed to have been contrived by Colonel Foveaux (who is the principal manager of the public concerns), to involve Mr. Campbell by acknowledging their authority, or otherwise to punish him and distress his house. I therefore expect to hear of his suffering imprisonment and fine, as several other friends of Government were doing.

Tempting  
the loyalists.Robert  
Campbell.

9. To add to the misfortunes of the colony, on the 23rd of May there was a flood at the Hawkesbury. This may be a serious injury, for the settlers and landholders had sown but little grain; and under all circumstances there would certainly have been a considerable degree of want the ensuing summer, but which, no doubt, will be placed entirely to the account of the flood.

A flood.

10. I had just got this far in my letter to your Lordship when a ship, called the *King George*, arrived from Port Jackson, with some grain and salt provisions for the settlement. By this ship we have been informed that the *Experiment* had arrived (three days before she sailed) in five months from Cork, with women

News from  
England.

1800

8 July.

convicts. The only account which has transpired is that which we heard from report by the Sydney Cove, that the New South Wales Corps were to be removed, and eight ships were to sail for this country in May. I have received no letters whatever from England, nor have any of my friends, since intelligence of the rebellion arrived there; and every master of a ship is prevented by threats or promises from giving any information; nevertheless, the reports before-mentioned have arisen, from which I can only draw uncertain conclusions.

Administration of Government at Sydney.

11. The friends of Government at Sydney contrived to write to me, who describe the colony in a most wretched state; that the severities and restrictions were still kept up under Lieutenant-Colonel Foveaux; and Colonel Paterson has become extremely lavish in his favours to a great number of persons, in order that when reform takes place it may produce as much discontent as possibly he can effect. Under his situation, this is an aggravation of what he has already done, but it seems they care not what they do, and although in a desperate state of mind and difficulty, *Gazettes* are published bearing a complexion of peace and quietness. Among their iniquitous and designing acts, they have been lavish in their gifts and indulgences to some of the worst characters particularly to the Irish rebels, Dwyer, Holt, and other principal ones; and the Romish priest is now wildly following his functions, which were before kept within proper bounds, and must be again limited by wise and mild measures; but no censure is sufficient punishment for such inimical designs, and the evidence there is of a determination to leave the colony in as distressed a state as they possibly can.

Palmer and Campbell.

12. Mr. Commissary Palmer and others, who were in gaol for their loyalty, were liberated on the 4th of June, when there was a general gaol delivery. Mr. Campbell having been brought before a Criminal Court, he refused to plead or acknowledge their authority, for which he was fined fifty pounds.

Public expenditure.

13. Mr. Palmer informs me that, together with the sale of cattle, amounting to thirty-two thousand seven hundred and thirty-two pounds, the copper coin, the public stores, the goods from barter, the public monies from the Gaol and Orphan Funds, and the bills drawn, an expenditure will be found to have taken place to a very considerable amount (and that the outstanding debts to the Crown will be greatly augmented); likewise, all the debts which were due at the time of their seizing the Government, and for which grain was in store, will add still further to the sum, as I refused to liquidate my account.

Raising the money.

14. In order to secure payment to their new-created officers (for their services)—Provost-Marshals, Secretaries, Judge-Advocates, Commandants, and extra Superintendents—they have given them cattle, articles of investment, stores, and copper coin; and in this

way they have paid four hundred and ninety-six pounds, besides provisions, to Thomas Moore, boatbuilder, for sending his ship after the Barrington, which the convicts ran away with, in May last year, through the most unwarrantable neglect; also, to gratify particular persons, Colonel Paterson has presumed to purchase houses and gardens from them for Government use, and by this means they have realized a great deal of money.

1809

8 July.

15. On the 27th of June there was in store and in stacks seven thousand seven hundred and twenty bushels of grain, computed to last to the 1st of December this year. Should, therefore, the flood at the Hawkesbury have done much injury, there will be a considerable scarcity before the next season.

Public stores.

16. I am now, my Lord, nearly at an end of describing the scenes of iniquity and consequent distresses of the country. The principles of the late faction would have ruined the colony altogether; their acts have been grievous. My succours cannot be far off. The difficulties I have gone through will be the means of securing public justice, confidence, and happiness. The industrious man will see his increasing family a blessing to him; he will feel the produce of his labours realized in his comforts of life; and a general confidence will take place to give tranquillity to all classes of His Majesty's subjects.

Bligh's confidence in the future.

I have, &amp;c.,

W<sup>M</sup> BLIGH.

## COLONEL PATERSON TO VISCOUNT CASTLEBAGH.

[Extracts.]

My Lord, Sydney, New South Wales, 9th July, 1809.

9 July.

My letter of the 30th April, by the Pegasus, informed your Lordship of my having received an account of Commodore Bligh having proceeded to the Derwent, and having taken up his residence there, since which period I have had no further communication from that settlement.\*

Bligh at the Derwent.

I most sincerely lament to be under the necessity of acquainting your Lordship that a calamity, similar to that which on former occasions has involved the settlement in the deepest distress, namely, the flooding of the Hawkesbury, has again unhappily occurred, and has rendered it absolutely necessary for me to ensure, by an importation of wheat from Bengal, a sufficiency of that indispensable article, to prevent the colonists from suffering the horrors of a famine, as they did from the same unfortunate event in the year 1806.

Flood at the Hawkesbury.

Almost the whole stock of grain which had been saved from the scanty produce of the last harvest was swept away by the

Loss of grain.

\* According to the *Sydney Gazette* of 2nd July, 1809, the report of Brigadier-General Nightingall's appointment as Governor had been then received at Sydney. It is remarkable that Paterson makes no reference to it in this despatch.

1809 overflowing of the river on the 28th May last; but I am sorry to  
 9 July. add that the small quantity of seed which the inclemency of the  
 weather had allowed the farmer to get into the ground, has, by  
 the same misfortune, been completely destroyed.

Food  
 supplies.

Although every possible exertion was instantly made to alleviate the distresses of the sufferers, and to enable them, by re-cropping them, to lessen the evils to be apprehended from the inundation; and although I am happy to state that these efforts promise as much success as could be hoped for—yet I have felt it my duty, as perfect reliance cannot be placed on the produce of the ensuing year, to guard against the possibility of a distressing scarcity, and have consequently authorised the Acting-Commissary to conclude an agreement with Mr. J. C. Burton, merchant, of Bengal, for the importation from thence into this colony of 200 tons of wheat of the best quality, at the moderate price of 8s. per bushel, 50 tons of which is to be landed at the Derwent.

Cultivation  
 of hemp.

Your Lordship, in your letter of the 31st December, 1807,\* having expressed a wish that every encouragement should be given to the culture and propagation of hemp in the colony, I have granted Mr. Burton an allotment of 500 acres adapted for the growth of that article, and I have acceded to his proposal of allowing him to introduce a number of the natives of India or China, acquainted with the progress of preparing it, and making rope, cordage, and canvas, and for bringing with him the implements necessary for that branch of agriculture.

\* \* \* \* \*

I have, &c.,  
 W<sup>m</sup> PATERSON.

COLONEL PATERSON TO LORD MINTO. (Colonial Secretary's  
 Papers.)

My Lord, Sydney, New South Wales, 9th July, 1809.

Food  
 supplies.

In my letter to your Lordship of the 22nd May last,† by the Hunter, I stated the apprehensions I entertained of a scarcity of grain being felt in this colony from the failure of our crops at the last harvest, and from the unfavourable weather which prevailed during the whole of the subsequent sowing season, and I suggested the probability of my being obliged to solicit your Lordship's sanction to my obtaining from India such supplies as our necessities may require me to provide.

Floods:

Soon after the date of that letter, a calamity similar to that which on former occasions has involved this settlement in the deepest distress—the overflowing of the river Hawkesbury—has again unhappily occurred, and has rendered it absolutely necessary for me to ensure, by an importation from Bengal, a sufficiency of

\* See vol. vi, p. 401.

† Ante, p. 152.

wheat to prevent the colonists from being exposed to the horrors of a famine, as they were from the same unfortunate event in the spring of the year 1806. 1809  
9 July.

Our principle agricultural exertions having hitherto been confined to the settlement on the banks of the Hawkesbury, upon which is our dependency for the most essential article of life, and the greater part of the settlers being established on small allotments of land, the whole of which are subject to be overflowed, they have no means of housing their grain in any situation of security, in consequence of which almost the whole stock which had been saved from the scanty produce of the late harvest was swept away by the overflowing of the river on the 25th May last, and I am sorry to add that the small quantity of seed which the inclemency of the weather during the sowing season had allowed the farmers to get into the ground, has by the same misfortune been lately totally destroyed. Loss of grain.

I have, therefore, authorised the Acting Commissary, on behalf of Government, to enter into a contract with Mr. J. C. Burton, of Bengal, for the importation of 200 tons of wheat from thence into this colony; and as the price agreed upon appears to me to be extremely moderate, I have consented, on his return, to permit him to land 13,000 gallons of spirits (of which we are here, and at the dependant settlements, at present in the greatest want), in order to secure him from suffering any loss by an agreement, the speedy accomplishment of which is of the utmost importance to the interests of the colony. Wheat from Bengal.

By the annexed extract from Lord Castlereagh's letter of the 31st December, 1807, to the Governor of New South Wales, your Lordship will perceive that it is the wish of H.M. Ministers that every encouragement should be given to the culture and preparation of hemp. Cultivation of hemp.

For this purpose I have granted to Mr. Burton an allotment of land adapted to the growth of that article, and have acceded to his request of allowing him to introduce a number of the natives of India or China, acquainted with the process of preparing it and making rope, cordage, and canvas, of bringing with him the implements necessary for that branch of manufacture; and should he have occasion to apply to the Government in India for assistance in the execution of an undertaking which seems so conformable to the views of the Secretary of State, I trust your Lordship will pardon the liberty I take in recommending him most strongly to your protection. Indian and Chinese labourers.

I commit this letter to Mr. Burton's care, together with a box containing despatches for the Secretary of State, which I beg your Lordship will cause to be forwarded to England.

I have, &c.,  
W<sup>M</sup> PATERSON.

1809

MRS. KING TO VISCOUNT CASTLEREAGH.

19 July.

My Lord, 12, Nottingham-street, London, 19th July, 1809.

King's share  
in the wild  
cattle.

Allow me to call your Lordships attention to the documents\* of my late husband, already in your office, respecting the exchange made of part of the Government cattle, at New South Wales, for his share of the wild cattle in that colony. From these documents your Lordship will collect the motive which induced this exchange, and that the good of the service and the benefit of the colony were contemplated in the same; but as the exchange has never been formally ratified by Government, though it has been acquiesced in for several years, I feel it is necessary to my health, worn out by anxiety, to the regulation of my family, and my directions to the servants in New South Wales, that I should be at a certainty respecting these cattle.

A widowed  
family.

With three daughters, and an aged mother of my late husband's—for whom I am bound to provide—and with no other means of support besides these cattle than the pension obtained through your Lordship's kind and condescending interference, I feel the duty of keeping my expenses within the bounds of my income, however limited it may be, and to regulate the education of my daughters and their future prospects in life by the extent of this income; any excess in their present expenditure would, by anticipating future resources, lead to certain and irretrievable difficulties.

Under these circumstances, your Lordship will see how important it is to me to be acquainted with the determination of Government respecting the exchanged cattle.

The results  
of delay.

Had Government condescended to reply to the original proposal of my husband, he would have been in a situation, even had not the proposal been accepted, of compensating himself by reclaiming his proportion of the wild cattle; but the situation is so materially altered, that *that* which was then so feasible to him is now in a great measure impracticable to his helpless and orphan family; but whatever may be the will of Government, to *that* myself and children will bend with submission, as my husband would, if living, certainly have done.

Governor  
King's  
services.

In justice to myself and children, I cannot close this letter without calling to your Lordship's attention the long and active services of Governor King, and the honourable and disinterested conduct he displayed in the discharge of the arduous duties imposed on him, and the peace in which he preserved the colony by his conciliating yet *firm deportment*.

Trusting for a remuneration from Government, he totally neglected his private interest; and small as was his allowance

\* *Vide* Phillip's letter to King, dated 5th June, 1799 (vol. iii, p. 678); King's letter to Hobart, 15th March, 1804 (vol. v, p. 361); and King's letter to Camden, of 20th July, 1805, with enclosure (vol. v, p. 657).

compared with that which his successors have enjoyed, he disbursed the full amount of that income, with the exception of a few hundred pounds, in his table and establishment as Governor; and I, who have for seventeen years been the partner of his labour and anxieties in the colony, can bear the most solemn and ample testimony, that, in every instance, the service of the Government was the sole object he had in view, and that he did not, in a single instance, derive any personal advantage from his situation. 1809  
19 July.  
King a poor man.

Your Lordship must be fully acquainted with the outline of these particulars, and I confide with great confidence that the arrangement Government will make respecting the exchange of cattle will be founded upon such liberal and equitable principles, as will be for the benefit of my young and unprovided family.\*

I have, &c.,

A. J. KING.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 20th July, 1809. 20 July.

In consequence of the present reduced ration of grain and the shortness of the days, the servants employed in public labour will leave off work at one o'clock until further orders. Hours of labour.

LIEUTENANT-GOVERNOR COLLINS TO VISCOUNT CASTLEREAGH.

[Extracts.]

Hobart Town, Van Dieman's Land,

My Lord, 20th July, 1809.

I have recently been informed that Brigadier-General Nightingall† has been appointed by His Majesty to succeed to the Government of New South Wales in the room of Mr. Bligh, who is still here with the Porpoise, and, by what I learn from his officers, has not any intention of removing until either the arrival of the General or an order for his return. He has lately availed himself of his situation below the town, in Storm Bay Passage, and seized part of a supply of provisions which was coming here, and sent by Lieutenant-Governor Paterson for the use of this settlement. Bligh's successor

I have, &c.,

DAVID COLLINS.

JOHN MACARTHUR TO HIS WIFE.

My dearest Elizabeth, Rio Janerio, 22nd July, 1809. 22 July.

I write this to be forwarded to the Cape of Good Hope by a small sloop, the master of which has been good enough to promise that he will either send or cause it to be sent by the first A chance letter.

\* Castlereagh's reply, refusing to ratify the arrangement proposed by King, will be found on p. 206, post.

† Collins was, of course, ignorant of the fact that Brigadier-General Nightingall—although appointed Governor—was forced by ill-health to relinquish the position, and that it was then conferred on Macquarie.

**1809** ship bound from that port to New South Wales. If it should be  
**22 July.** fortunate enough to arrive before letters which may be sent direct  
 from hence, it will remove your apprehensions for our health and  
 safety up to this period. The boys and myself have been per-  
 fectly well, and were as comfortable while we were on board the  
 The voyage. Admiral Gambier as could be expected. We arrived here on the  
 12th of June, and expect to sail for England about the last day  
 of the month, but not on board the Admiral Gambier. Mr.  
 Contract for Harrison has been involved in such perplexity about his contract,\*  
 rice. and is withall so uncertain a character, that Colonel Johnston and  
 myself considered it prudent to secure a passage in the first good  
 ship bound for England. We have, therefore, embarked on board  
 Passengers the Lady Warburton, of Liverpool, a fine new ship of 400 tons,  
 for England. well manned and armed. Dr. Jamieson, with his (?) sons have  
 taken their's in the Duke of Kent, a small ship belonging to  
 London. Harris remains in the Gambier, and Davidson some-  
 times talks of going to England and sometimes of returning to  
 Port Jackson.

Your English letters will, I hope, have informed you of all  
 Edward's notions. By the greatest chance I met with young  
 Governor King† here, a midshipman on board the Dianna frigate, and learnt  
 King's son. from him that Edward was in the 60th Regiment when they  
 sailed from England; that he had taken his passage in her some  
 months before from Vigo to Corrunna, and was afterwards seen  
 at Plymouth, safe and in excellent spirits. Young King informed  
 Edward me that Edward had been visiting your mother a few days before  
 Macarthur. he saw him, and that he learnt she also was well. He could not  
 say whether Ned had purchased his commission or not, nor could  
 he give me the slightest news respecting our political affairs,  
 except that he understood that the New South Wales Corps was  
 to be relieved, and that a General Nightingale had been appointed  
 to the Government; but not one word did he know (or if he did,  
 would he speak) of the sentiments entertained by Government  
 respecting the arrest of Mr. Bligh.

Opinions We have since seen Admiral De Courcy, who commands the  
 concerning squadron on this station; but he is equally unacquainted with  
 Bligh. what opinions are held by the people in power, altho' he loudly  
 reprobated the conduct of Bligh, as indeed every man does who  
 speaks of him.

I shall look forward with impatience to the time when our doubts  
 will be removed, and we shall know whether we shall have to  
 bear with persecution in England as well as in New South Wales.

Since the Dianna sailed, English papers have arrived, from  
 Governor Macquarie which we learn that Lieut.-Colonel McQuarry, of the 73rd, is  
 appointed.

\* The contract referred to was probably that made with Johnston for delivery of rice, &c.  
 at Sydney.

† Ex-Governor King's son, Phillip Parker King.

appointed Governor and Commander-in-Chief in New South Wales, and that he was on the point of embarking with his regiment on board the Hindostan and Dromedary. It was supposed they would touch here. The paper was dated the 10th of May, so that we may hope to see them before we sail. If we are so lucky we shall get all the information we want. 1809  
22 July.

I knew a little of Colonel McQuarry, and think him a gentlemanly man. A gentlemanly man.

What would I give to know how you all do, particularly our poor Elizabeth; but 'tis vain to wish upon such a subject.

Colonel Johnston is in good health, but thinks this opportunity so bad a one that he does not write. Colonel Johnston.

I shall leave letters behind to be taken on by the new Governor, in which I shall write more at large. Letters for home.

Remember me to the few persons who may enquire about me, and most affectionately to all under our own roof.

God bless and preserve my dearest wife,

Prays her ever affectionate

JOHN MCARTHUR.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 23rd July, 1809. 23 July.

**THE** settlers and every other description of persons occupying or cultivating ground, either by grant, lease, rental, or permission, are to attend, and will be mustered by Lieutenant-Governor FOREMAN at the following times and places, viz.:—Those at Sydney and its districts—on Friday and Saturday, the 4th and 5th of August next, at Government House, Sydney; those at Parramatta, Prospect Hill, Toongabbee, and Baulkham Hills—at Government House, Parramatta, on Monday, the 7th of August; those at George's River, Northern Boundary, Field of Mars, and Dundas—at Parramatta, on Tuesday, the 8th; those at Richmond Hill and The Nepean—on Monday, the 14th; those at the Green Hills and the South Creek—on Tuesday, the 15th; and those at Caddi, Portland Head, and down the river—on Wednesday, the 16th. The muster to commence each day at ten o'clock in the forenoon. General musters.

Officers, civil or military, holding ground as above are directed to give an account of their farms, stock, &c., according to the form left with the Adjutant of the New South Wales Corps, to be delivered to the Secretary on the day of the muster, at the respective settlements where their farms are situate; or to be sent to his office at head-quarters by the 18th of August. Officers' lands.

The existing regulations respecting the attendance of the settlers, &c., and the accuracy of their returns, will on the above occasion be most strictly enforced.

1809

## GOVERNMENT AND GENERAL ORDER.

23 July.

Collecting  
customs  
duties.

Head-quarters, Sydney, 23rd July, 1809.

THE committee of the Orphan and Gaol Funds having represented that much inconvenience results from the present mode of collecting the duties in this colony, the Lieutenant-Governor directs that from this day all duties arising from the importation of goods for sale shall be paid in money which can be consolidated, viz., in Paymasters' bills, Government receipts for meat or grain, or in cash ; and that the same shall be paid previous to the sale of any part of said goods.

Auctioneers'  
fees.

The Lieutenant-Governor, at the recommendation of the committee, further directs the treasurer of those funds to apply quarterly to the several vendue-masters for the duties arising from the sale of goods by auction within the previous three months, whether disposed of on credit or otherwise, the amount thereof to be attested on oath before a magistrate.

## JOHN MACARTHUR TO HIS WIFE.

30 July.

Waiting for  
Macquarie.

My dearest Elizabeth, Rio Janerio, 30th July, 1809.

I have delayed writing this letter until the last, in expectation of the arrival of the ships from England with our new Governor with the 73rd, who, we learn, are to relieve our old acquaintance ; but, unfortunately, I am disappointed, and must submit to a state of tormenting suspense until we reach England. Not, however, to torment you upon a subject which, judging from my own feelings, must be most painful, I have the satisfaction to say my health was never better, and, thank God, both the boys are quite as well.

Previous  
letters.

What would I not sacrifice to be assured that you and all the dear girls are as well. I have forwarded two letters to you by the Cape of Good Hope, which probably may arrive before Mr. Davidson, to whom I entrust this. How he is to find his way back to Port Jackson I cannot imagine, as it appears Mr. Harrison has no means of fulfilling his contract.

Rumours  
from  
England.

To repeat the various rumours we have heard since our arrival respecting the sentiments of Government upon our affairs would be idle, for of the many we have heard no two agree. If it be true that Minohin is gone out again, you will be sooner and better informed upon the subject than we can expect to be until we reach England ; and what will, perhaps, be more pleasing to you, and not much less important, you will also learn the destination of Edward. In an Army List for May, I observe he stands the third ensign in the Second Battalion of the 60th Reg't. It is, therefore, probable, he will soon get a lieutenancy. Of our dear John I know nothing more than that he was well in health and continuing with Dr. Lindsay.

Macarthur's  
sons.

Uncertain as is the conveyance of letters from hence, it is necessary that I should repeat that I am embarked on board the Lady Warburton, a fine new ship of 400 tons bound to Liverpool. Johnston accompanies me, Harris proceeds in the Admiral Gambier, and Jamieson in another ship bound to London. We sail to-morrow. The others, I am of opinion, will not sail this month.

1809

30 July.

Embarking  
for England

As Mr. Davidson has heard all my arrangements here, I refer you to him for information of the difficulties I have had to contend with in my mercantile objects. I have also written fully to Mr. Blaxcell by the Cape of Good Hope.

Walter  
Davidson.

In two months I hope to be in England, and in three months after on my way back\* ; but, however short my stay there may be, or speedy the returning voyages, it will yet be to me a dreary and comfortless time. I trust in God I shall soon receive an assurance of the perfect recovery of our poor sufferer, Elizabeth. Both James and William still continue to profess a strong attachment to the sea, and I do not take any pains to discourage it. William has the activity of a monkey, and sits on a yard arm on a top-gallant mast-head with as much apparent ease and satisfaction as if he were in an elbow chair. Coming on board a few days since, I saw him perched aloft like a bird; but before I could ascend the side the urchin had descended like lightning down one of the back-stays, and was at the gangway before me. They have both improved in their writing, and I hope have not forgotten any thing they had before learnt. James accompanied me yesterday to dine with Lord Strangford (from whom I have received very particular attentions). William was also invited, but he has contrived to ornament his clothes even too highly for the company of an ambassador; every garment he has is covered with pitch and tar. He will, however, make a fine daring fellow.

A speedy  
return.Macarthur's  
children.His son  
William.

Colonel Johnston is at my elbow complaining of the rheumatism and the ravages of old age, whilst William is gravely remarking to him that it is the climate, for he feels his bones ache also.

Colonel  
Johnston.

I saw young Phillip King here, who informed me your mother was well, and that Edward, after his return from Spain, had visited her. No doubt, you will receive full and I hope satisfactory information of his adventures and future expectations. I have seen several officers here who speak of him very flatteringly. May he continue to deserve the good report of the world and enjoy the good fortune to receive it. When you write, my beloved Elizabeth, omit nothing that relates to yourself. To hear what you are doing will be my chief consolation until we meet again. I most fervently pray that it may be soon, and, if it pleases God to restore me to you all, that I may find you in perfect health.

Governor  
King's son.Edward  
Macarthur

Home ne

\* As is well known, Macarthur was not allowed to return to New South Wales for several years.

1809

30 July.

James and William are now asleep in their cots by my side. May God Almighty bless and preserve you all is the unceasing prayer, my beloved wife, of

Your affectionate husband,  
J. McARTHUR.

GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.

His Majesty's Ship Porpoise, in the Derwent,

31 July.

My Lord, New South Wales, 31st July, 1809.

Return of  
Lieutenant  
Minchin.

The ship Elizabeth, by which my present dispatches were to be sent, not being ready so soon as was expected, I beg leave to add this letter to inform your Lordship that a ship called the Mary Ann—Birnie, master—arrived on the 19th instant, having left England the 15th day of December on a trading voyage by Rio Janeiro and the Cape of Good Hope. She brought me no letters, but to my utter surprize Lieutenant Minchin of the New South Wales Corps is come in her, who took Major Johnston's despatches to your Lordship in the ship Brothers, and was so deeply concerned in the rebellion and seizing my person. He come in the Atalantic (Atlantic?) a ship of Mr. Wilson's, a merchant in Fenchurch-street, to Rio, where, changing the route of his voyage, he proceeded in the Mary Ann, as I have just mentioned. My first determination was to have put him in arrest; but when I reflected he had been at liberty in England, and enabled to come out in this colony, it appeared improper for me to place him in confinement in this ship, and particularly as it might have produced a severe retaliation on the friends of Government at Sydney, who are in a most helpless state. At present he remains at Hobart Town.

Cattle from  
Calcutta.

On the 23rd the Lady Barlow, Alexander McAskill, master, arrived from Calcutta, with two hundred head of cattle, out of three hundred, for which a contract had been entered into by Colonel Collins. The master reported to me a number were in a dying state, and he had lost about one hundred in his voyage. This contract, injudiciously made like the first (mentioned in my letter of the 10th of June, paragraph 59\*), has the same consequences by being fulfilled in the winter season, which the miserable animals are [incapable] of withstanding, and a number of them will perish for want of shelter.

Thus, my Lord, have two contracts been entered into without my knowledge to the amount of about thirteen thousand pounds.

The  
Governor-  
General of  
India.

I informed your Lordship by my letter of the 31st August, 1808 (paragraph 11),† that I had written to Lord Minto concerning my confinement and the state of the colony, requesting of him to judge how far relief could be sent to me from India until succours arrived from England, and by His Lordship's answer,‡ which I have received by the Lady Barlow, I find that Lieut.-Colonel

\* Ante, p. 179.

† Vol. vi, p. 711.

‡ Ante, p. 97.

Foveaux had written to him that he had assumed the Government. For your Lordship's information, I have the honor to enclose copies of Lord Minto's letters,\* wherein he refuses to recognize any other Governor but myself until His Majesty is pleased to appoint another.

1809

31 July.

I am, &amp;c.,

W<sup>M</sup> BLIGH.

## GOVERNOR BLIGH TO SECRETARY POLE. (Bligh Papers.)

His Majesty's Ship Porpoise, in the Derwent,

Sir,

New South Wales, 31st July, 1809.

On the third ultimo† I had the honor to write to you, for the information of my Lords Commissioners of the Admiralty, respecting my situation as senior naval officer in command here, and on the same subject I have again an opportunity by a ship called the Elizabeth, Alexander Bodie master.

Bligh's naval status.

Their Lordships will please to observe by my last letter that Colonel Collins, by enforcing Colonel Paterson's proclamation against me and my family, has united with him in all his measures. He ordered it to be read in church, the 21st May last, by Mr. Knopwood, the clergyman, in presence of Captain Porteous and some of the officers of the Porpoise who were attending Divine service, and he has thrown off every obedience to me, and corresponded only with Captain Porteous since that time. I have therefore to refer to the representation he will make to their Lordships, as my duty has been confined to directing him to keep up the supplies of His Majesty's ship by every means in his power.

Collins sides with Paterson.

Having had the ship's boat ran away with, by which we lost four men, and several others having since deserted, it became necessary that boats passing should come near the ship, independent of public service, and the detection of convicts upon improper pursuits, I therefore gave the order, of which the enclosed‡ is a copy. In consequence of this, a boat refusing to come to the ship, the lieutenant of the watch fired over her and brought her to, but finding no improper person in her she was dismissed immediately. This circumstance appears to have given umbrage to Colonel Collins, who wrote to Captain Porteous his determination to suffer none of his boats to land in the settlement, and did prevent Lieutenant Ellison (who Captain Porteous had sent) taking water from the rivulet, which was past the main guard. On this transaction I enclose copies of the mutinous and rebellious letters,§ and one|| from me to Captain Porteous on his showing me the first he had received.

Deserters from the Porpoise.

Firing over a boat.

Collins retaliates.

Such insults I found difficult to be borne, but the unhappy situation of the country, and regular means being daily expected by which due course could be had to chastise this conduct, I considered

Bligh's forbearance.

\* See Lord Minto's letters, ante, p. 97.

† Ante, p. 161.

‡ Ante, p. 149.

§ Ante, pp. 184 and 185.

|| Ante, p. 185.

1809 it best to forbear risking a civil warfare, which might have  
 31 July. been productive of many calamities. The boats landed at other  
 places, the people went into the town as usual, and water was got  
 near where the ship lay at anchor.

Succours I have no knowledge when another opportunity may offer of  
 from writing to you, sir, but I have the fullest expectation it will be  
 England. with great satisfaction, and to assure their Lordships that from  
 the relief I shall have received the country will be restored to  
 peace and quietness.

I have, &c.,  
 W<sup>m</sup> BLIGH.

COMMANDER FLINDERS TO SIR JOSEPH BANKS.

3 Aug. Sir, Isle of France, 3rd August, 1809.  
 Flinders The season for arrivals from France, by which I hoped a  
 still a second and positive order for my liberation would be sent to the  
 prisoner. Captain-General, De Caen, is now past. Whether such an order  
 has been given I do not know, for this island has been so com-  
 pletely blocked by our cruizers during the last three months that  
 no vessel of any kind has been able to enter, and my hopes from  
 that quarter are now at an end for this year, and, perhaps, for ever.

Letters to A French cartel, which is to sail in a few days for the Cape of  
 England. Good Hope with all the English prisoners of war in the island,  
 gives me the opportunity of writing to you, Sir Joseph, and to the  
 Admiralty, to whom I have detailed the circumstances of my pre-  
 sent situation. I know that La Semillante, by which the tripli-  
 cate of my memorial to the French Marine Minister was sent,  
 with many letters in my favour, arrived at St. Malo in the begin-  
 ning of this year, and that my friend, Ensigne Baudin, who was  
 the bearer of them, and promised to use all his efforts in my cause,  
 received promotion on his arrival, and was made member of the  
 Legion of Honour. This gave me hopes; and if the memorial had  
 the advantage of being backed by an application from you, Sir  
 Joseph, to the National Institute, and by one from our Ministry  
 to the French Government, there seems reason to hope that such  
 an order may have been given as General De Caen would find him-  
 self unable to resist. Still, if a duplicate of it has not been for-  
 warded by the Admiralty in some one of His Majesty's ships, it  
 may be yet a long time before I shall have the advantage of it.

Flinders's Happily for me, my health sustains itself tolerably well in the  
 health. midst of all my disappointments, and I seek to entertain still the  
 hope of one day testifying to you in person the high esteem and  
 consideration with which

I have, &c.

MATT<sup>w</sup> FLINDERS.

Messages to P.S.—I beg to recommend myself to the favourable recollection  
 friends. of my Lady Banks, of Major Rennel, the Hon. Mr. Greville, and  
 of such of my shipmates in the Investigator as you are in the habit  
 of seeing.

## THE FOOD SUPPLY.

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### GOVERNMENT AND GENERAL ORDER.

1809

Head-quarters, Sydney, 4th August, 1809.

4 Aug.

The sitting of the Court of Civil Jurisdiction is adjourned to Monday, the 18th of September next. The Civil Court.

The Court will at all times, however, be ready to attend to such applications as it may be found requisite to make against persons about to depart from the colony.

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### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 5th August, 1809.

5 Aug.

As a distressing scarcity of grain must inevitably ensue from the late inundations of the Hawkesbury and George's River,\* which there is reason to fear have been more extensively destructive than on any former occasion, the Lieutenant-Governor most earnestly enjoins every person possessed of a garden to raise as great a quantity of vegetables as possible, by which means the consumption of bread will be much reduced, and the evils to be apprehended from the dreadful calamities by which we have twice, in the space of two months, been visited, be thereby considerably alleviated. Food supplies.

To deter any inhabitant of this colony from attempting a monopoly of grain, or any other species of provisions, with a view of selling again at an exorbitant advance, the Lieutenant-Governor is determined most strictly to enforce the several laws enacted for the protection of the people from the extortion of forestallers, ingrossers, or regrators; and he pledges himself to the public that the most unremitting vigilance in the detection, and the most rigorous measures for the punishment of crimes of so detestible a nature, will be exercised by every branch of the executive authority. Prevention of monopolies.

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### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 7th August, 1809.

7 Aug.

THREE convicts and a seaman belonging to the ship Sydney Cove having been found concealed (contrary to Port Regulations) on board the schooner Unity of London, Daniel Cooper, master, at the moment of her intended departure from this colony, the High Court of Appeal has decreed that the said Daniel Cooper has forfeited the sum of £800 sterling, and his two sureties the sums of £50 each, being the penalty of the bond entered into by them for the due observance of said regulations; and as the only justification attempted to be offered by the said Daniel Cooper for his Stowaways. Bonds forfeited.

\* According to the *Sydney Gazette* of 13th August, 1809, this flood was from 6 to 10 feet higher than that of 1806.

1809 neglect and disobedience thereof was, "that the said convicts and  
 7 Aug. seaman found admittance into the schooner from there having been no watch kept on board, and were concealed without his knowledge or concurrence," the Lieutenant-Governor, to prove the fallacy of such excuse, directs the annexed extract from the Port Regulations to be published in General Orders, which he strongly recommends to the particular attention of masters and owners of merchant vessels trading to, or touching at, the ports of this colony and its dependencies.

Port Regula- *Article 25, Port Regulations.*—"Every master of a ship or vessel  
 tions. is to keep watch and guard on board, and be answerable for the conduct of his officers and crew, so far as respects the said ship or vessel in her mercantile concerns, and the application of the several bonds he enters into, as also for any convicts that may be found secreted on board his vessel (according to the 16th Geo. 2nd, chapter 21)."

#### GOVERNMENT AND GENERAL ORDER.

8 Aug. Head-quarters, Sydney, 8th August, 1809.  
 Exporting grain pro- In consequence of the destruction of grain by the late inundations  
 hibited. of the Hawkesbury, George's, and Nepean Rivers, and to guard as far as possible against the scarcity which must naturally be expected to follow, the Lieutenant-Governor deems it expedient to prohibit, until further orders, the exportation or shipping of bread, flour, or wheat, or of any other kind of grain whatever, from the ports of this settlement.

#### SURVEYOR GRIMES TO THE COMMISSIONERS OF THE TREASURY.

10 Aug. My Lords, 37, Parliament-street, 10th August, 1809.  
 Surveyor I had the honor of presenting a memorial to your Lord-  
 Grimes. ships, dated 28th June last,\* praying the payment of two years' salary due to me as Surveyor-General of Lands in New South Wales. I have received no intimation that I am dismissed that situation, though unable to obtain permission to return to my duty. Conceiving that as long as I was permitted the honor of holding the commission I received from your Lordships I should be entitled to some pay, the want of it has involved me, having been near twelve months in London, at a great expense, and am now entirely without the means of living, and in very ill health from the change of climate. Most earnestly do I pray your Lordships to afford me some relief, and I most respectfully hope that I may be allowed the hard-earned pay that is now due to me.

I am, &c.,

CHARLES GRIMES,  
 Surveyor-General of Lands in New South Wales.

\* Ante, p. 185.

## GOVERNMENT AND GENERAL ORDER.

1809

Head-quarters, Sydney, 14th August, 1809.

14 Aug.

**DURING** the absence of the Lieut-Governor from Sydney, all reports, civil and military, are to be made to Lieut-Governor Foveaux, who will give the necessary directions with respect to the public works, &c.

The Lieut-Governor.

The Lieutenant-Governor has received an official notification that the New South Wales Corps has been numbered in the 102nd Regiment of the Line.

102nd Reg't.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 16th, August, 1809.

16 Aug.

THE spirits landed from the brig Atalanta, and lodged in the bonded stores, will be distributed at the price of thirteen shillings and sixpence per gallon, duties included, amongst the settlers and landholders actually residing on their farms, in proportion to the number of acres they may have sown with wheat.

Spirits for settlers.

Persons entitled to avail themselves of this arrangement are desired to send in their names to the Secretary's office, with a certificate from a magistrate or district constable of their residence on their farms, and of the number of acres they have cropped with wheat.

And the Lieutenant-Governor particularly desires that no other description of persons will on any account whatever apply for a share of this distribution, which will commence as soon as the returns and certificates above-mentioned shall be received.

## REV. SAMUEL MARSDEN TO SIR JOSEPH BANKS. (Banks Papers.)

Sir,

Place, No. 1, 20th August, 1809.

20 Aug.

I believe the information I received respecting McArthur, Johnston, &c., being at Rio will be found correct. Sir Sidney Smith, I am informed, saw Johnston, and offered him a passage from Rio in the Diana. Mr. Harresin, in Parliament-street, told me that he had received letters from Johnston at Rio, and that McArthur was in the ship with him and Harris, the surgeon to the Corps. Lieutenant Simmons also informed me that he had received letters himself from Rio Janiero from them. Mr. Thompson, the Army Agent, in Castle-street, has also received letters to the same effect. Mr. Wilson has received duplicates from Mr. Campbell of letters; the originals are supposed to be on board the Porpoise, along with Governor Bligh, whom Simmons told me was to sail in three days after Johnston. I think Sir Sidney Smith can give you the information you wish. I intended to have seen Simmons to-day, and to have made further inquiry about them; but have not met with him. Should I hear anything more of them I will communicate it after we arrive at Portsmouth. I should have sent you this information this morning, but I wished to obtain more correct accounts.

News of Johnston and Macarthur.

Letters from Rio.

I have, &amp;c.,

SAM'L MARSDEN.

1809

## GOVERNMENT AND GENERAL ORDER.

22 Aug.  
Rev'd W.  
Cowper.

Head-quarters, Sydney, 22nd August 1809.

HIS Majesty having been pleased to appoint the Rev. Mr. Cowper to be Assistant Chaplain to the settlements in New South Wales, and that gentleman having arrived from England, he will be stationed and do duty at Sydney until further orders.

Spirits for  
publicans.

The licenced publicans, on application to Lieutenant-Governor Foveaux, will have permission to draw ten gallons of spirits each from the bonded stores.

The Reverend Mr. Cowper, Assistant Chaplain to the colony, is appointed a member of the committee of the Orphan School.

## GOVERNMENT AND GENERAL ORDER.

26 Aug.  
Volunteers'  
rations  
stopped.

Head-quarters, Sydney, 26th August, 1809.

FROM the scarcity of provisions which there is at present every reason to apprehend, the Lieutenant-Governor feels it his duty to lessen, as far as possible, the number of persons victualled from the public stores. He is, therefore, under the necessity of directing the Acting-Commissary to discontinue, from Saturday, the 26th instant, any further issue of provisions to the Sydney and Parramatta Volunteer Associations, whose attendance for drill and other duties will be dispensed with until further orders.

The Lieutenant-Governor has been pleased to extend the Royal mercy to William Davis, condemned to death at the late Criminal Court, on condition of his serving as a prisoner for life within the limits of this territory.

## VISCOUNT CASTLEREAGH TO MRS. KING.

28 Aug.  
Governor  
King's  
widow.

Madam,

Downing-street, 28th August, 1809.

I received your letter\* reviving a claim which was made by the late Governor King for some compensation for a few cattle, which escaped into the woods, belonging to Governor Phillip, the property in which, if recoverable, he made over to your late husband. This claim when originally made was conceived by Government of so very loose a nature that it was not considered right to make any order upon the subject. I feel much regret in stating that after so long a period as has elapsed since the first escape of the cattle it is not possible to consider of compensation for a mere private loss, originating from neglect.

I am, &amp;c.,

CASTLEREAGH.

## NEWSPAPER REPRINT.†

*To the Editor of the Asiatic Mirror.*

[Extracts.]

31 Aug.  
The arrival  
of Foveaux.

Sir,

Sydney, 31st August, 1809.

When Lieut.-Col. Foveaux arrived at this settlement in the ship Lady Sinclair on the 30th of July [1808], the Gov'r, Commodore

\* See the letter of 19th July, 1809, ante, p. 194.

† This letter was published in the *Madras Courier* of 29th May, 1810.

Bligh, sent a few of his friends, accompanied with a letter containing an order, to the Lieut.-Col. to restore him to that authority of which he had been unjustly deprived by the mutiny of the New South Wales Corps. Colonel Foveaux, however, declined to recognize the authority of Governor Bligh, disobeyed the order, and even refused to restore the Governor to his personal freedom. He kept him in the same state of confinement in which he found him, and threatened to render it still more rigid, because he sent for a superintendent to repair a broken part of the road which prevented his daughter's carriage from passing. He even subjected to his own controul the garden belonging to the Government House in which His Excellency was confined.

1809

31 Aug.

He sides with Johnston.

\* \* \* \* \*

When Governor Bligh arrived at the Derwent, Lieutenant-Colonel Collins, who is Lieutenant-Governor of that settlement, received him with due honors as Captain-General and Governor in-Chief, gave him his own residence to live in, and provided for himself another lodging. But the ship *Eolus*, which sailed from Port Jackson on the first day of April, carried to the Derwent the *Sydney Gazette*, containing Lieutenant-Governor Paterson's counter proclamation. This proclamation was read publicly in church by the Reverend Mr. Knopwood (alas ! that the altar should be employed against the throne), with an order of Lieutenant-Governor Collins to enforce it. As Governor Bligh slept every night on his ship, and was prevented by indisposition from coming ashore for some days, Lieutenant-Governor Collins came to him and invited him to shore ; but on his remaining still longer, he (Collins) wrote to him saying that he could have no farther communication with him in this country.

Collins's reception of Bligh.

Paterson's proclamation

On Monday, the 29th day of May, Robert Campbell, Esq., had notice given him, by a letter from the Judge-Advocate, that the Lieutenant-Governor appointed him to the office of Coroner, which he answered by a letter, saying that he had been accused of crimes by Major Johnston, in a letter written to him a few days after the 26th January, 1808, signed "William Lawson, Aid-de-Camp" ; he therefore, until acquitted of these crimes, could not act as a public officer in this colony. The Judge-Advocate answered that it was the positive order of the Lieutenant-Governor that he should act, and desired him to come and take the oaths before him. Mr. Campbell knew that the crimes alledged against him by Major Johnston were only pretended, in order to cover his dismissal from the public offices he held at the time of the revolution ; that they could substantiate no charge against him, and that they would proceed no farther for such pretended crimes ; but on account of the state of the colony, he did not wish to provoke them by saying he could take no appointment from rebels ; but being determined about the part he would act, he answered the Judge-Advocate's

Robert Campbell

refuses to accept office.

**1809** letter with a positive refusal. He was therefore brought before a Bench of Justices and committed for trial before a Criminal Court, but was liberated on bail. On Wednesday, the 7th June, his bail brought him before the Criminal Court, composed of Richard Atkins, Esq., Captain Anthony Fenn Kemp, Captain Lewis, Captain Cummins, Lieutenant Moore, Lieut. Laycock, and Lieut. Hadley, where he refused to plead or acknowledge the competency of the Court, and because he could not take the oaths of Coroner under the present Government without a violation of conscience and honor; and he concluded by saying he hoped the English law would excuse him for not entering into a more full explanation of his motives for declining the competency of that Court. The Court was cleared, and the Judge-Advocate on its reopening told him he must plead. On his declining that, and saying he was guilty of no crime, some of the members wanted to make that expression equivalent to pleading; but he explained, and being asked three times if he was guilty or not guilty, and he persisting in his refusal, the Court was again cleared, and when opened the Judge-Advocate pronounced a sentence of £50 fine on him, which, as I am informed, the Lieutenant-Governor would not accept, being angry that imprisonment was not added to the sentence.

**31 Aug.**  
Placed on trial.

Competency of the Court.

Fined.

Imprisonment of royalists.

\* \* \* \* \*  
Many other persons besides those mentioned above,\* and of inferior rank, have been sent to the Coal River; some settlers of good character have been long imprisoned because they were afraid of the consequences of mustering under the rebel standard. Some soldiers have been confined several days, and sent to and returned from the Coal River, and threatened with a Court-Martial because they professed an attachment to their Captain-General, but afterwards they were liberated without any trial.

Bligh at the Derwent.

\* \* \* \* \*  
On board His Majesty's ship Porpoise, now in the river Derwent, Governor Bligh, with his virtuous and accomplished daughter, remains, determined, through much tribulation, to keep at his post and perform the duty assigned to him by his Sovereign, who will undoubtedly reward his faithful servant in due time, and send those succours which he expects.

CLERICUS.†

#### GOVERNMENT AND GENERAL ORDER.

**2 Sept.**  
Spirits for landholders.

Head-quarters, Sydney, 2nd September, 1809.  
THE settlers and landholders who have given in certified returns of the quantity of wheat they have in the ground (agreeable to the General Orders of the 16th ultimo), are informed that a distribution of Cape brandy will commence on Monday, the 11th

\* Namely: Messrs. Palmer, Hook, and Campbell.

† Probably Rev. H. Fulton.

instant, previous to which they will, on application at this office, receive permits to enable them to receive their respective proportions, which, from the returns already received, will be at the rate of about one gallon for every four acres, and will be issued at nine shillings per gallon, duties included. 1809  
2 Sept.

Such settlers resident at the Hawkesbury and its neighbourhood as may be inclined to have their spirits conveyed for them, without trouble or expence, to the Green Hills, are informed that a Colonial vessel for that purpose will be provided by Government; but it must be understood that the liquor must be paid for previous to its removal from the bonded stores. Supplies for the Hawkesbury.

The Lieutenant-Governor will inspect the 102nd Regiment, on the Old Cricket-ground,\* on Tuesday next, the 5th instant, at 12 o'clock.

#### REPORT BY T. G. HARRIS† ON CORRESPONDENCE OF BLIGH.

Spring Garden, 12th September, 1809.

12 Sept.

REPORT on the correspondence of Governor Bligh, Major Johnston, and Lieutenant-Colonel Foveaux, respecting the Government of New South Wales from January to October, 1808.

THE state of the colony of New South Wales under Gov'r Bligh appears from the official documents at the end of the year 1807 to have been satisfactory; and an address presented to the Governour on the 1st of January, 1808, signed by nine hundred persons, gives every reason to believe that his administration of the colony was just and vigorous. The colony under Bligh

The Governour had carried into effect the restrictions on the barter of spirits, which he had it in his instructions to repress. In this barter trade the officers of the New South Wales Corps had been engaged, and the restrictions certainly were obnoxious to them and to some civil persons concerned in that traffic. Suppressing the spirit traffic.

Mr. John McArthur had been engaged in this barter trade to a considerable extent, was a shipowner and importer of spirits. Two stills had also been imported on a ship of his, the one for himself and the other for Captain Abbott, of the N.S.W. Corps, which had been seized and sent off the colony by the Governour's orders in the month of October preceding. John Macarthur.

On this part of the transactions I am bound to report that the Governor's orders were well justified, and ought to have been enforced, and that any person was well authorized, under the directions of the proper officer (which was the case), to carry them into effect. The affair of the private still.

In the month of December some proceedings had been depending respecting the Paramatta schooner, of which John McArthur was a part owner; on the 14th of that month a decision took The case of the schooner Parramatta.

\* Doubtless part of what is now Hyde Park.

† A barrister, and one of the legal advisers of the Crown.

1800  
12 Sept.

Macarthur's  
arrest.

place on the forfeiture of the bonds given by the owners and their sureties for the ship's observance of Colonial regulations. Mr. McArthur wished to throw the ship and her crew on the Government officers, who had taken her in charge to enforce the judgment of the Court and to prevent her entry at the port while under seizure. In consequence, a complaint of the master and mariners respecting subsistence and wages came before Mr. Richard Atkins, the Judge-Advocate of the colony. Mr. McArthur was required by a letter to attend, but refused; and afterwards a warrant was issued and delivered to Mr. Richard Oakes, chief constable, to be served on him. On the service of that warrant on Mr. McArthur, he conducted himself in such a manner, used such language, and wrote by way of answer a paper which very properly rendered him the object of a criminal prosecution for a seditious libel against the Government. Major Johnston and Capt. Abbott of the New South Wales Corps were on the Bench as magistrates when Mr. McArthur was admitted to bail to answer such indictment as should be preferred against him at a Criminal Court. That Court was fixed for the 25th January, 1808, and convened by Governour Bligh's precept, pursuant to the 27 G. 3, cap. 2.

Macarthur's  
relations  
with Atkins.

Before that day a communication was made to Gov'r Bligh by McArthur that, in consequence of Mr. Atkins's being indebted to him, and disputes having subsisted between them, he should object to his sitting on his trial as Judge-Advocate. As that officer is appointed by patent, and by the Act is directed to be a member of every Criminal Court, the application to appoint another person was refused. On the 25th the Court met pursuant to the precept. On the adjournment, on the evening of that day, McArthur being at large, or, as the six members of the intended Court say, committed to the custody of his former bail, the Provost-Marshal made an affidavit of an escape, and on a warrant granted by the Judge-Advocate and three magistrates he was arrested and carried to gaol. It seems from the proceedings that McArthur was at the bar, and, I should apprehend, in custody of the Provost-Marshal at that moment, and, I conceive, he should regularly have remained so, as if surrendered by his bail.

The officers  
and the  
Governor.

In the course of the 26th a correspondence between the members and the Governor was carried on, which ended in the Governor's sending a summons to each of them to attend before him on the 27th to answer for their proceedings. That order was founded on a memorial by the Judge-Advocate alledging that their practices were treasonable. They were clearly illegal. Two notices had been sent to Major Johnston at his country house from the Governor, which he excused himself from attending on the pretence of illness.

Major  
Johnston.

But notwithstanding, on the evening of the 26th he came to Sydney from his country house, on a communication made to him by an officer of his corps, and proceeded directly to the barracks.

Major Johnston immediately issued an order for the liberation of McArthur; and on his arrival at the barracks, and after a consultation held with him, the officers of the Corps, and some inhabitants, and at their requisition ordered the troops under arms, issued another order for the arrest of the Governor, and proceeded to put it in force by a military guard. Immediately the Governor was arrested, his commissions and papers, public and private, seized, sentinels placed over the Government House, and all communication with the magistrates, his secretary and others, who had acted with the Governor, was strictly prohibited; martial law was proclaimed, General Orders were issued in the name of George Johnston, Lieu't-Governor, proclamations to the inhabitants and to the troops. On the 27th Governor Bligh's flag on board the *Estimama* was struck by Major Johnston's authority.

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The arrest of Bligh.

From the 25th of January to the 29th of July, Major Johnston continued in the execution of Lieutenant-Governorship, when Lieu't-Colonel Foveaux arrived, and having a commission as Lieutenant-Governor superseded the former, and continued Governor Bligh's arrest.

Johnston in power.

Among other proceedings under Major Johnston, on the 2nd of Feb'y Mr. McArthur was tried before a Criminal Court, on the indictment intended to have been preferred against him on the 25th of January and was acquitted without being called upon for his defence, and on the 12th of Feb'y was appointed a magistrate and Secretary to the colony, a new office created for his employment.

John Macarthur.

The papers accompanying Gov'r Bligh's dispatch of the 30th of June\* contain information which originates the seizure of the Government, in a preconcerted plan between the officers of the N. S. W. Corps and some discontented inhabitants of the settlement.

Was there a preconcerted plan?

The whole detail combines a degree of preparation and a regularity in the execution of the measure which are very striking.

A meeting of all the persons principally concerned in the transactions of the 26th took place on the 24th at a dinner given at the barracks. There were present Mr. McArthur,† Major Johnston, and the officers of the N. S. W. Corps (six of whom were to sit on the Criminal Court the next day), Mr. Bayly, and several other persons whose names appear in the committees appointed on the evening of the 26th to examine the Governor's papers and persons connected with him. The same persons also appear in the General Orders of the 27th, appointed to different situations, as secretary, magistrates, &c., under the new Government. The original requisition presented to Major Johnston on the evening of the 26th, and returned with his dispatch as "signed by all the civil officers and respectable inhabitants" was written by the hand of McArthur, and his name appeared at the head of the

The officer's mess.

Appointments of officers.

\* Vol. vi, p. 657.

† This is not correct. John Macarthur was not present at the dinner; his son was.

1809	subscribers, if the information Governour Bligh gives in his dispatch of the 30th of June is correct on that material point. Their presence at the time of Governour Bligh's arrest, and the conduct of McArthur, as represented by the deposition of George Sutter, while the troops were marching from the barracks to the Govern-
12 Sept.	ment House, evidencies such preconcert. There is also a remarkable expression of McArthur's, proved by Edmund Griffin when he was under examination by a committee of which the former was a member, namely, "That there never had been a revolution so completely effected, and with so much order and regularity, before." Lastly, the communication with Paramatta seems to have been specially entrusted to Capt. Abbott of the N.S.W. Corps.
Evidence of a plot.	In Major Johnston's dispatch and the accompanying papers, the necessity of the arrest to prevent an immediate insurrection of the people is held out as the ostensible motive of his conduct; and the causes of a general discontent to have been "a pre-determined plan" on which Gov'r Bligh is alledged to have acted with a view to subvert the laws of his country, to terrify and influence the Courts of Justice, and to bereave those persons who had the misfortune to be obnoxious to him of their fortunes, their liberties, and their lives."
Johnston's ostensible motive.	It is to be observed that all acts of insurrection or riot on the part of the inhabitants are absolutely negatived. Some few of them appear as advisers, the rest as spectators prepared to witness the act of the military, to whom alone the execution of their designs was entrusted.
Civilians stand aloof.	In the result of the examinations taken by the committees constituted by Major Johnston, one would naturally expect to find the proofs of Governor Bligh's misconduct.
Absence of specific charges against Bligh.	In point of fact, for want of other legal advice, Mr. George Crossley, an attorney-convicted of perjury, had certainly been consulted with by the Governor on certain occasions; and in the instance of the seizure of Mr. McArthur's stills, the Governor expressed some dissatisfaction against the Judge-Advocate for having decided that the person acting in that seizure had not a regular authority. No instance of arbitrary power exercised towards any person whatever is produced, nor indeed is there any enquiry into any other case except Mr. McArthur's.
Imperfect evidence.	On the whole, the chain of evidence is imperfect in consequence of there having been no opportunity as yet for a due examination, with a view to the bringing to justice any persons concerned in the arrest, or to investigate the alleged malversation of Governor Bligh.
Johnston's position.	On the fullest consideration, however, which I have been enabled to give the evidence, as it is to be found in the whole of the papers, I am bound to report on it, that the proceedings of the 26th of January involve Major Johnston (in my view of the case) in the highest degree of criminal responsibility.

By the Mutiny Act and Articles of War, Major Johnston, and such officers of the N.S.W. Corps as took an active part in the arrest of Governor Bligh, who had at the time, as I understand, a military commission in the settlement, would be amenable to a Court-Martial here, pursuant to 49 G. 3, c. 12, section 33, and the 2nd and 21st dect. of the articles.

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Amenable  
to a Court-  
Martial.

This is all that need be said on the case as a military offence.

But viewing, in the arrest of Governor Bligh and the seizure of the whole power of government into the hands of Major Johnston, the officers and civil persons acting with him, as concerned in a conspiracy having that for its object, and as holding out the necessity and pretence of reform as a mere cover, they would all be involved in one common offence. In this realm any acts of violence or intimidation to force the repeal of a law, the dismissal of counsellors, or the endeavour to redress by force real or pretended grievances, would be treason, as levying of war against the King in his realm. I conceive that the same Acts which would constitute this species of high treason here, under 25 Ed. 3, if done within this realm, must, when carried into effect in this colony, be taken to be treason there, by 27 G. 3, c. 2; but I submit, that it is only triable in the colony, and by the judicature there erected; inasmuch as not being a treason by 25 Ed. 3, from being committed abroad, it is not within the purview of c 35, H. 8, c 2 which brings treasons "then declared or thereafter declared to be so" within the cognizance of the Court of King's Bench here.

An act of  
treason.Not triable  
in England,

Considering McArthur separately to have excited the mutiny among the soldiery, and to have instigated the arrest of Governor Bligh, I conceive his offence to be triable here in no shape whatever.

If I am right in this conclusion on the law of the case, the military officers are alone amenable to a Court-Martial here, though all might be tried for high treason there who have been concerned in "such outrages and misbehaviours as if committed within this realm would be deemed or taken, according to the laws of this realm, to be treason or misprision thereof, felony, or misdemeanour—*vid.* 27 G. 3, c. 2, s. 1.

Liability of  
officers.

It remains for me to report on Lieut.-Col'l Foveaux correspondence; and it is almost incredible that an officer of his rank and station should have written so decisive a judgment on Gov'r Bligh's alleged misconduct without the fullest and most satisfactory proofs.

Colonel  
Foveaux.

It appears that on the 28th of July Lt.-Col'l Foveaux first knew of the transactions of the 26th of Jan'y, and determined on the same day to continue the arrest, and to carry on the government in his own name. This resolution seems to have been taken almost sooner than it was possible for him to have received the necessary information, and it is justified on the ground that the

His hasty  
decision.

1809

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necessity of depriving Gov'r Bligh on the 26th of Jan'y was demonstrable and still existing. It cannot be concealed that if Lt.-Col. Foveaux was well founded in this opinion, it must have been founded on evidence which is not to be found in the papers on which I am required to report.

Charges  
against  
Bligh.

This leads me to state the result of all the evidence of Gov'r Bligh's misconduct, exclusive of the particular case of Mr. McArthur, which I have adverted to before. Though it appears that Crossley was consulted with by the Governor, I do not discover that any corrupt practices were ever advised or resorted to, however erroneous his opinion might have been, or perhaps unfit to have been received at all. Some little change in the mode of striking the members of the Civil Court was adopted, but whether the ballot or the appointment be right must depend on its constitution. It is proved by Mr. Atkins, the late Judge-Advocate, that Governor Bligh had sometimes used improper and unguarded expressions respecting his authority in the courts of law ; but no case is pretended in which such authority has been improperly exercised.

Misappro-  
priation.

The examination of the commissaries, storekeepers, and the overseers of Governor Bligh's farm (even if any case of an improper appropriation of stores cattle, &c., to his own use appears), afford no evidence on the general tendency of his government to subvert the established laws of the colony.

Bligh's  
intemperate  
language.

With respect to Lieut. Short and Ellison's complaint of un-officerlike language used by Gov'r Bligh towards them, it appears that those officers have, after a silence of near 12 months, thought it their duty to make their affidavits referred to in Major Johnston's dispatch, and on which he justifies the propriety of continuing Gov'r Bligh as captain, deprived of the command of H.M. ship Porpoise, which was taken from him on the 27th Jan'y, long before those complaints were made known. The representations also which had been transmitted to the Commander-in-Chief in Oct'r, 1807, are repeated in justification ; but it is impossible to say more of them than that if they are sufficient to found a reference to the quarter where it was made, and prove a great intemperance in words, no act is alledged to have been committed in pursuance of the threats. Finally, no Government lease appears to have been cancelled by Governor Bligh, nor has the confidence reposed in him in his official character in any instance been criminally betrayed.

Johnston  
and  
Foveaux.

The subsequent acts of Major Johnston's and Lt.-Col. Foveaux's government do not, I apprehend, fall particularly within the purview of this report, though I cannot but observe in them some glaring instances of illegal proceeding.

T. G. HARRIS.

## GOVERNMENT AND GENERAL ORDER.

1809

Head-quarters, Secretary's Office, 14th September, 1809.

14 Sept.

SEVERAL of the settlers and landholders who have given in returns of the wheat they have in the ground, not having as yet applied for permits to remove their proportions of spirits from the bonded stores (agreeable to the General Orders of the 2nd instant), notice is hereby given that unless applications for that purpose are made at this office before 10 o'clock on Monday morning next, the 18th instant, they will be precluded from the benefit of the distribution, and the spirits then remaining in the stores will be otherwise disposed of.

Spirit  
permits.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 21st September, 1809.

21 Sept.

Mr. THROSBY having represented that his ill state of health renders it impossible for him to attend to the duties of Assistant Colonial Surgeon, the Lieutenant-Governor has been pleased to accept his resignation of that office,\* and has also permitted him to retire from the situation of magistrate.

Charles  
Throsby.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 23rd September, 1809.

23 Sept.

As the Lieutenant-Governor is desirous of having the repairs of Government House and garden completed previous to the arrival of the Governor, which may be hourly expected,† to prevent any interruption thereof, the centries have received orders to admit no person whatever within the gates, except the workmen, gardeners, and servants employed in the house.

Repairs to  
Government  
House.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 5th October, 1809.

THE Lieutenant-Governor expects that officers, civil or military, going to Parramatta, or wherever else their residence may be, will report their arrival to him.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 7th October, 1809.

ALEXANDER RILEY, Esquire, is appointed a member of the Court of Civil Jurisdiction, in the room of Charles Throsby, Esquire, who is rendered incapable of further attendance by illness.

Alexander  
Riley.

By command, &amp;c.,

JAMES FINUCANE,  
Secretary.

\* In a short Government and General Order of 23rd September, "Mr. William Evans" was appointed to the vacancy. He was dismissed on 8th December, 1809—post, p. 245.

† The ship Boyd, which arrived at Sydney on 14th August with a detachment of the 78th Regiment, brought word of the appointment of Bligh's successor. Macquarie did not arrive until three months after the publication of the above Order.

1809

## GOVERNMENT AND GENERAL ORDER.

11 Oct.

Head-quarters, Sydney, 11th October, 1809.

THE Lieutenant-Governor has been pleased to appoint Mr. Charles Griffin to be Master Boat-builder in His Majesty's naval yard, in the room of Thomas Moore, Esquire, who has requested permission to resign.

## GOVERNMENT AND GENERAL ORDER.

The Civil Court.

Head-quarters, Sydney, 11th October, 1809.

ON the conclusion of the cause now hearing before the Civil Court no new one will be entered into,\* except in cases of persons about to leave the colony; and the Court will adjourn on Tuesday, the 2nd of January, 1810.

## GOVERNMENT AND GENERAL ORDER.

Petitions and memorials.

Head-quarters, Sydney, 13th October, 1809.

FROM the immense number of petitions and memorials for grants of land, leases, pardons, and emancipations which have lately been presented, and which it is impossible (consistent with the attention due to the ordinary and unavoidable business of the colony) to take into immediate consideration, the Lieutenant-Governor is under the necessity of withholding his answers thereto until the 24th of January next, and of directing that no new applications on those subjects be received until after that day.

## T. BROWN TO VISCOUNT CASTLEREAGH.

13 Oct.

My Lord,

New South Wales, 13th October, 1809.

Crime and corruption.

It is high time that some fresh Governor should have arrived here before this as such doings was never known—pardons to the worst of characters, Croppes, and thieves. Here a man or woman robs, next day turns King's evidence, transports those that he sold the things for fourteen years, and saves himself. Land—three thousand acres given to Mr. Riley, four thousand acres to another favorite, as well as eight hundred Government sheep and 70 bullocks; not a Government's hut (save six or seven) but is given away to favorites. Forty thousand gallons of spirits besides were given away to the civil and military officers since Bligh has been deposed, and not anything to the peaceable, industrious individual. The officers and favorites have been finely enriched by this republican Government. Johnston and the rest of the military squad were not satisfied because he (Governor Bligh) would not let them have as much spirits to trade as old King did, so that made them determine to depose him. Mr. Gore, the Provost-Marshal, transported; Mr. Palmer, the Commissary, imprisoned;

Spirits.

\* In view of the arrival of Bligh's successor, then hourly expected, Foveaux was evidently unwilling to take any more administrative responsibility upon his shoulders than he could help.

Cheeseman, an old man, 80, hanged, because he had bought stolen property. Mr. Gore would not plead, so judge (Capt. Kemp) said in the Court: "I transport you, W'm Gore, like a damn'd rascall as you are, for seven years to the Coal River!" This was a fine sentence for a man wearing His Majesty's commission. Paterson gets drunk at Government House at Parramatta, and Foveaux is left at Sydney to do as he likes, and he gives pardons, grants, and leases to the whores and greatest thieves, 'till there is nothing left for any other Governor (when he arrives) to give. There is now two Lieutenant-Governors here—Paterson—but F. is king and supreme; P. is only a cypher. F. took people out of church at Norfolk Island and hung them without a trial, so he and his whore (A—— S——) were sent here to inhabit Government House, whilst His Honor, old Paterson, lived and got drunk in his barrack.

1809

13 Oct.

The law courts.

Foveaux and Paterson.

The Orphan House—a bawdy house ever since the new master (Hoskins), his wife, and three stout boys (his sons), sent out from England to be its master, and B—— W—— (a notorious street-walking strumpet and a prisoner for life), put in by the cobbler (Hoskins, the master) as a teacher, and the former good master and mistress put out. This was the business of The Rev. Samuel Marsden, the horse-shoe maker; I mean King Marsden. And here is a fellow, one Crook,\* a shopkeeper, a missionary, who keeps a shop, yet was chaplain and read the absolution, and had more favour shown him than any clergyman, for he was miserably poor; but these two Honors and the two Lieutenant-Governors have set this fellow (who was a gentleman servant) up chaplain to the 102 —His Majesty's loyal corps! The officers sold their permits for spirits at £2 per gallon, and let others draw it from the stores. The Sinclair's investment [goods by the Sinclair] the officers and shopkeepers only had, and they sold the check. Sieves drawn out at 8s. per sieve and sold at two guineas each. Oh, it has been charming times! One lady had forty iron saucepans out of the above investment. Hang half this worthy set and it will be justice, for they have been the greatest robbers. ——'s woman, a Jewess, offered to sell, since he went, 1,000 weight of kidney fat—taken out of Government bullocks—at 2s. 6d. per pound. This she saved during his government. These are proper peculations, and I hope such delinquents will be brought to condign punishment.

The Orphan School.

The clergy.

Officers' permits.

I have, &amp;c.,

T. BROWN.

CAPTAIN PASCO TO SECRETARY POLE.

His Majesty's Ship Hindostan,

Sir, Table Bay, Cape of Good Hope, 13th October, 1809.

I beg leave to acquaint you, for the information of my Lord's Commissioners of the Admiralty, that His Majesty's ships

Macquarie's arrival at the Cape.

\* Holt, in his Memoirs, vol. ii, p. 271, refers to Crook as "a little swaddling fellow that taught the school at Parramatta."

- 1809 Hindostan and Dromedary, under my command, with the Oxford transport under convoy, sailed from Rio Janeiro on the 23rd day of August, and arrived in Table Bay, at the Cape of Good Hope, on the 23rd ultimo.
- 18 Oct. Health of sailors and soldiers. I have also the pleasure to state that, owing to the refreshments the crew and troops on board the two ships received during my stay at Rio Janeiro, nearly the whole of them are quite recovered, and the malady eradicated, having, on our arrival at this place, occasion only to send three seamen and fifteen soldiers on shore to the hospital from this ship, the former from accidents and the latter from colds, coughs, and slight fevers, since which, I am happy to say, twelve have returned, and the other three will this evening. Both ships are completed with water and provisions, and are now getting under weigh. I have, &c.,  
JNO. PASCO.

## COLONEL PATERSON TO VISCOUNT CASTLEREAGH.

- 14 Oct. My Lord, Sydney, Port Jackson, 14th October, 1809.
- Hawkesbury flood. In my letter of the 9th of July last,\* by the way of India (a duplicate of which accompanies this dispatch), I acquainted your Lordship of the overflowing of the Hawkesbury on the 25th of May, of the consequent destruction of the grain on its banks, and of the means taken by me to guard against a scarcity, by contracting for an importation of wheat from Bengal.
- The ground re-sown. After that event, the most successful exertions were made to re-crop the ground, and from the liberal and timely aid afforded by Government to the settlers, I had every reason to flatter myself the consequences would not prove so disastrous as the nature of the calamity at first led me to apprehend.
- A second flood. It is, however, with extreme pain that I am under the necessity of reporting to your Lordship that my hopes have been delusive.
- Tributaries of the Hawkesbury. Another inundation of the Hawkesbury, more extensively destructive than any former one (the water having risen ten feet higher than in the flood of 1806), took place on the 1st of August and carried away more than half the small quantity of grain saved after the misfortune of the preceding May, and has in a great measure ruined the crops which had a second time been put into the ground.
- A great number of cattle of every kind was likewise lost, and the farmers in the vicinity of the Grose, Nepean, and George's Rivers, from a similar cause, have suffered no less severely than those of the Hawkesbury.
- The season having been too far advanced to admit of the lands being cropped a third time, a most distressing want of wheat must inevitably be felt, unless prevented by the timely arrival of the supplies contracted for from India and Rio de Janeiro.

\* Ante, p. 191.

Melancholy experience having now fully proved the imprudence of depending on the settlements lying on the banks of the rivers as the principle source of our supplies of grain, I have thought it my duty to give every possible encouragement to the cultivation of the forest lands, and have, therefore, made a considerable number of grants to such persons as, from their good characters and habits of industry, I judged deserving of such indulgences, and to those settlers who expressed a desire of relinquishing their farms on the rivers in exchange for others not liable to the same destructive accident, and I make no doubt but that the motives that have induced me to adopt this measure will meet your Lordship's entire approbation.

1800

14 Oct.

Farming  
forest lands.

The annex'd extract of a letter from Lt.-Governor Collins will acquaint your Lordship of Commodore Bligh's being still at the River Derwent, where he attempted to publish a proclamation (of which I enclose a copy),\* in answer to that issued by me on the 19th, and transmitted to your Lordship on the 26th of March last.

A letter  
from  
Collins.

The ship Boyd, from Cork, with a detachment of His Majesty's 73rd Regiment, arrived here on the 14th of August last, and landed 137 male convicts (having lost 5 by death on the passage), and on the 18th [of the same month] the brig Indispensable, from Portsmouth, landed 61 female prisoners, one having died previous to her arrival.

Shipping  
news.

I have, &amp;c.,

W<sup>M</sup> PATERSON.

[Enclosure.]

LIEUTENANT-GOVERNOR COLLINS TO COLONEL PATERSON.

[Extracts.]

Hobart Town, Van Diemen's Land,

Sir,

6th August, 1809.

The departure of Lieutenant Minchin for Sydney, of whose arrival in this settlement you will be informed by my letter sent in the Mary Ann, enables me to state such particulars as have occurred here since the sailing hence of the Estramina upon the 9th ultimo, on the evening of which day I was made acquainted of the arrival of the ship King George from Port Jackson.

Departure of  
Lieutenant  
Minchin.

Commodore Bligh had for some time previous to her appearance taken a station at the entrance of Storm Bay Passage that gave him the command of the harbour's mouth, evidently with the view of helping himself to those supplies which had been refused him here, and which he expected to find on board the first ship or vessel that might be sent hither from Sydney. In this design, I am sorry to say, he succeeded, taking of the provisions sent by you, sir, for the use of this settlement, fifteen tierces and five of salted meat.

Bligh at the  
Derwent.

I was informed by Mr. Chace that his ship having been brought up in some foul ground in Storm Bay, he irrecoverably lost a

He stops a  
vessel,

\* See Bligh's proclamation of 29th April, 1809, ante, p. 108.

1809  
14 Oct.

cable and anchor, and was, moreover, prevented by the Commodore during three days from proceeding to the town. When it is considered that the benefit we were to derive from part of her cargo depended on its being issued as soon as it could be landed (as appears by a report of survey held at Sydney on some of the articles of clothing which has been sent for our use from England in the ship *Duke of Portland*), this detention must appear the more unwarrantable, and, in fact, the loss of the anchor had nearly subjected us to the loss of the whole cargo, for having but one left in his ship, Mr. Chace, before he could land any part of it, was on the point of bearing up for Sydney in some blowing weather, which brought that anchor home, and endangered the safety of his vessel.

Bligh  
procures  
supplies.

I was informed the *Elizabeth* sailed for England on the 4th instant, Mr. Bligh having previously distressed the ship by taking thereout a quantity of biscuit, leaving only sufficient to serve her to Saint Helena, at the allowance of 5 lb. per man per week. He has now completed his victualling to eight months, and I greatly fear this will enable him to keep his station some time longer, to the annoyance of whatever ship may be coming to this port.

From a circumstance that occurred in the *King George*, respecting a box directed to me, I have reason to apprehend, unless some extraordinary precautions are adopted, any letters you may send to me will run a great risk of being, I will not say detained, but opened.

#### GOVERNMENT AND GENERAL ORDER.

21 Oct.

Head-quarters, Sydney, 21st October, 1809.

A general  
muster ;

A MUSTER of the following descriptions of persons will be taken in the order as they stand—by Lieutenant-Governor Foveaux at Sydney ; by Mr. Fitz, Acting Commissary, at Parramatta ; and by Mr. Broughton, Deputy Commissary, at the Hawkesbury :—

#### *At Sydney.*

at Sydney.

The settlers and every other description of persons occupying ground by grant, lease, rental, or permission, residing at Sydney and the districts adjacent thereto, are ordered to attend at the Barracks, at 8 o'clock, on the mornings of Monday, the 30th, and Tuesday, the 31st instant, and at which time they are to give an exact account of their land under cultivation and stock in their possession.

The male prisoners and freemen of every description off the stores, excepting such as are included in the above class of people, residing at Sydney and the districts adjacent thereto, are to attend at the same place and at the same hour on the mornings of Wednesday, the 1st and 2nd of November.

The female prisoners, and free women not victualled from the public stores, residing at Sydney and the districts adjacent thereto, are to attend at the same place and at the same hour of the mornings on Friday, the 3rd, and Saturday, the 4th of November. The attendance of the children will be dispensed with, but the parents will be required to give an account of them.

1809

21 Oct.

*At Parramatta.*

The settlers and every other description of persons occupying ground by grant, lease, rental, or permission, residing at the following places, or in any of the districts adjacent thereto, viz., Parramatta, Prospect Hill, George's River, Baulkham Hills, and Toongabbie, at the northern boundaries, Field of Mars, Dundas, &c., are to attend at the Court-house, at Parramatta, on the mornings of Monday, the 30th, and Tuesday, the 31st instant, at 8 o'clock, at which time they are to give an exact account of their land under cultivation and stock in their possession.

General  
muster at  
Parramatta ;

The male prisoners and free men of every description not victualled from the public stores, residing in any of the above places or in the districts adjacent thereto, are to attend at the same hour and place, on Wednesday, the 1st, and Thursday, the 2nd of November.

The female prisoners and free women of every description not victualled from the public stores, residing in any of the above places, or in the districts adjacent thereto, are to attend at the same hour and place on Friday, the 3rd, and Saturday, the 4th November. The attendance of the children will be dispensed with, but the parents will be required to give an account of them.

*At Hawkesbury.*

The settlers, and every other description of persons occupying ground by grant, lease, rental, or permission, residing at the following places, or any of the districts adjacent thereto, viz., Green Hills, South Creek, Richmond Hill, the Nepean, Caddi, Portland Head, &c., are to attend on the mornings of Monday, the 30th, and Tuesday, the 31st of October, at the church on the Green Hills, at which time they are to give an exact account of their land under cultivation and stock in their possession.

at the  
Hawkes-  
bury.

The male prisoners and free men of every description not victualled from the public stores, residing in any of the above places, or in the districts adjacent thereto, are to attend at the same hour and place, on the mornings of Wednesday, the 1st, and Thursday, the 2nd of November.

The female prisoners and free women of every description not victualled from the public stores, residing in any of the above places, or in the districts adjoining thereto, are to attend at the same hour and place on Friday, the 3rd, and Saturday, the 4th of November. The attendance of the children will be dispensed with, but the parents will be required to give an account of them.

1809  
21 Oct.

And as the intention of the musters hitherto taken have been defeated, from the incorrectness of written returns made by individuals, it is therefore hereby ordered that all persons comprised within this Order *do attend in person*; and anyone disobeying it will be taken up as a vagrant and punished to the utmost extent of the law if free, and if prisoners they will be sentenced to twelve months' confinement in the gaol gang. Officers, civil and military, are required to deliver in an account of their land and stock, agreeable to the form left with the Adjutant of the 102nd Regiment, which is to be sent to the Secretary's office, at Sydney, as soon as possible after the date of this Order. The regulations respecting the attendance of settlers, &c., and the accuracy of their returns, will on this occasion be strictly enforced.

Store-keepers' lists.

The storekeepers and other persons having charge of the victualling stores are ordered to have a complete list of the men, women, and children victualled therefrom, which is to be delivered into the Secretary's office by Saturday, the 4th of November, the day on which the muster ceases, and they are to distinguish them under the following heads, viz.:—*Civil Department, Military, Settlers, and Free People—Women and children* of the above classes under the same heads—in the correctness of which they are to be particularly careful.

#### GOVERNMENT AND GENERAL ORDER.

27 Oct.

Head-quarters, Sydney, 27th October, 1809.

MR. GEORGE WILLIAM EVANS is appointed Deputy Surveyor of Lands at Port Dalrymple; and is ordered (until an opportunity shall offer of going thither) to do duty at this settlement.

#### KING POMARE TO COLONEL PATERSON.

4 Nov.

Sir,

Otaheite, 4th November, 1809.

Pomare's letters to Paterson.

I took the liberty of addressing a few lines to your Excellency a few weeks ago per favour of Captain Campbell, that your Excellency might know the state of affairs on this island.\*

The Northumberland schooner anchored here yesterday and is about to sail to-morrow morning, and will probably arrive before the Hibernia, which is the reason why I have presumed to trouble your Excellency a second time.

An island war.

About twelve months ago several of the principal districts rebelled against me, and almost all the other parts of the island soon joined them. After a few weeks an engagement ensued in which I was overcome by numbers and obliged to fly to Eimeo. During my residence on that island I endeavoured to strengthen myself all that I could from the Leeward Islands, and on the first of the last month made a second attempt to quell the rebels, Captain Campbell being here at the same time, who gave me all

\* Pomare's previous letter is not available

the assistance in his power; but being again overpowered by numbers, and having lost many of my principal warriors, I have been obliged to make a temporary peace, which I fear will not last long. 1809  
4 Nov.

The Venus schooner which arrived here during my absence at Kimeo has been taken by the rebels and one of the crew killed. I therefore humbly hope that your Excellency will give me some assistance to subdue the rebels, as they are determined to take every vessel in their power, and that I may again be established in my Government under which all British ships have ever found protection and hospitable treatment. Violence of the rebels.

I remain, &c.,

POMARE,

King of Otaheite.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 7th November, 1809.

WILLIAM BROUGHTON, Esq., Deputy Commissary, will take charge of His Majesty's stores as Acting Commissary until further orders. William Broughton.

CHARLES BLAXLAND TO STEPHEN ROLLESTON.

Sir,

Wandsworth, 7th November, 1809.

7 Nov.

As the time draws very near at which Capt. Bligh and those immediately concerned in his arrest may be expected in this country, it becomes necessary for my brother,\* in order to prepare for his defence, to apply for a copy of the charges upon which he was originally put into jail at the Cape of Good Hope and is now a prisoner in this country; but as he is satisfied that his conduct has been most grossly misrepresented, and that great pains have been taken to keep the true state of the colony concealed, even from His Majesty's Ministers themselves, he has taken the liberty of enclosing a memorial, stating the hardships he has laboured under, together with some remarks on the settlement of New South Wales, in hopes that, through your kindness, he may be released from his present state of anxiety. Blaxland a prisoner.

I have, &c.,

CHAS. BLAXLAND.

[Enclosure.]

Wandsworth, 26th October, 1809.

THE humble memorial of John Blaxland, formerly of Kent, farmer and grazier, late from the colony of New South Wales, and now a prisoner in England,—

Sheweth :—

That having entered into certain agreements with His Majesty's Secretary of State for the Colonial Department, whereby he stipulated to go and reside with his family in New South Wales, Blaxland's agreement with the Government.

\* John Blaxland.

- 1809  
7 Nov. and to employ a certain capital, on condition that he was to have certain quantities of land granted him, with the labour of a certain number of convicts, for 18 months, and to be allowed cattle on paying for them in corn; to which His Majesty's Secretary agreed, and gave him copies of orders for such lands, &c., as were sent out to the Governor of that colony. Upon the faith of such an agreement, your memorialist quitted a very good situation in Kent, and conveyed himself, with his wife, family, and servants, at a great expence, to New South Wales, where he arrived in April, 1807, not doubting the honorable intentions of His Majesty's Secretary of State, or his power to carry them into execution.
- Blaxland's capital. That your memorialist proved to the Governor that he was possessed of the capital he stipulated for, and some thousands of pounds more, and that he applied to the Governor for the land, convicts, and cattle.
- Bligh's antagonism. That the Governor, in violation of the faith of His Majesty's Government, and in contempt of the orders from the Secretary of State, did refuse to carry the agreements into effect.
- Partial grants of land and stock. That your memorialist has, in consequence, sustained great pecuniary losses, and has lost 3 years of his time.
- That, instead of eight thousand acres of land agreed for, he obtained only 1,290; instead of eighty convicts, he could obtain only 23, the greater part useless, many of them having been rejected by the Governor's bailiff and other settlers. Of the cattle, he was allowed only sixty-four; and, instead of his paying for them in corn, the Governor made him agree to return them in female calves in 4 years, which would prevent the encrease of his stock, already too small.
- That he was obliged to buy land and cattle—the latter at enormous prices—and hire labourers at a price the produce of farming was not equal to defray.
- Deprived of his property. That, having bought such land and a house—the latter on lease—the Governor ordered a part of his garden to be taken away by the Surveyor for the Crown, who had orders not to allow him to build on the premises for the convenience of his business.
- A private suit. That the Governor, amongst other acts of illegality against your memorialist, employed Crossley to defeat the ends of justice in a suit he had against a governess in his family, who, it appears afterwards, the Governor wanted himself.
- Blaxland's cargo of spirits. That the Governor took from him (your memorialist) upwards of 500 gallons of spirits, and fixed a price much below its value, which your memorialist was obliged to take, whereby his immediate favorites would clear from 2 to 3 pounds per gallon, amongst whom Andrew Thompson, the Governor's bailiff, no doubt came in for a share, as upwards of 400 gallons have been traced into his possession during twelve months, some of which was given to him at 8s. to 12s. per gallon, which he afterwards sold at 20s. per

q. bottle, which, on a moderate calculation, gives him a profit of £1,200, a sum which, from its magnitude, no person will suppose that Governor Bligh suffered to go into his servant's pocket, when it comes to be known that Governor Bligh was a speculator and his bailiff one of his subordinate agents. 1809  
7 Nov.

That the Governor openly boasted of his intention to ruin your memorialist, to prevent which, and to secure the wreck of his fortune to his wife and children, he determined to return to England. Previous to his so doing, he presented a memorial to the Governor, a copy of which is now in the Secretary of State's office in this country. Bligh's animosity.

That upon that memorial the Governor employed his worthy colleagues, Judge-Advocate Atkins and George Crossley, to indict him, with a view to detain him in the country until they could devise some arbitrary mode of punishment which would degrade him and reduce his character to a level with their own, and thereby prevent his complaints being attended to by His Majesty's Ministers. Atkins and Crossley.

That, in the meantime—from the innumerable acts of violence, injustice, and oppression committed by the Governor on the inhabitants at large, subversive of all order, and in contempt of all law, and his partiality to and injustice in supporting the interests of a few unprincipled individuals, in whose profits it was pretty generally understood that he shared, and who, it was known, made themselves convenient to the said Governor, and assisted him in his speculation and frauds, and endeavoured to hide them in compliance with his orders by making false entries and false musters in the King's books, all tending to the disgrace of His Majesty's representative, subversive of all order, and calculated to bring the Governor and Government of the territory into hatred and contempt of the people, had produced general dissatisfaction and alarm in the colony—a number of remonstrances had been sent Home, as well as your memorialist's; and the inhabitants were waiting with reliance on the justice of His Majesty's Ministers until the 26th of January, 1808, when the Governor, being unmindful of his oaths, actuated by wicked intentions, and listening to the advice of evil counsellors, amongst the rest the said George Crossley,—not being satisfied with having virtually destroyed the Civil Court of Jurisdiction—did make an attempt to suppress the Criminal Court and to punish the members because they would not become subservient to his views. From the defects in the Civil Court, no man was before safe in his property or liberty; and if the Governor had succeeded in that case, no man would have held his life but during the pleasure of the Governor. On that day terror and dismay became general among the inhabitants. To the thinking man the picture was equally gloomy. The Governor issued an order for the members of the Criminal Court, Charges against Bligh.  
Memorials sent Home.  
Bligh and the Courts of Law.  
A gloomy picture.

**1809** convened by his precept and sworn in, who were all officers of the  
**7 Nov.** regiment, to appear before a Bench of Magistrates composed of  
 his own creatures, over whom he was to preside, forming a new  
 Military officers summoned to appear before Bligh. tribunal, without any authority but the will of the Governor;—  
 and for what? Only because they, according to their oaths, admitted the validity of a challenge of an Englishman against a  
 man who was his prosecutor and his enemy, and interested in his  
 conviction, sitting as judge and jurymen upon his trial. Had  
 such an event taken place, there is no calculating upon the consequences. The idea of being surrounded by thousands of convicts,  
 watching every opportunity to take advantage, and only kept in  
 subjection by a handful of soldiers, who had met with every species  
 of injury and indignity from the Governor, and whose profession  
 was on all occasions the object of his ridicule and contempt, who  
 were hardly ever spoken to or of by the Governor but coupled  
 with the degraded term b—g—r, or some other such expression.  
 The inhabitants\* were fearful of the consequences if six out of the  
 nine officers commanding the regiment of soldiers under such  
 circumstances should be committed to prison. The summons to the  
 six officers were delivered about 4 o'clock on Tuesday, which  
 produced great agitation, and an assemblage of officers and  
 respectable inhabitants took place near the Barracks, when it was  
 thought necessary to send to Major Johnston, the next in command  
 to the Governor, who was at that time in the country, and  
 four gentlemen rode out to him. He arrived in Sydney a little  
 before 5 o'clock with them, and was instantly waited upon by a  
 great many respectable inhabitants, civil and military. Mr.  
 McArthur, who had been committed to prison by the Governor,  
 was ordered to be released, and the Major was requested to take  
 some steps to restore tranquillity in the colony. The only plan  
 that could be adopted for the safety of the colony under such  
 circumstances was putting the Governor under arrest, which the  
 Major agreed to do on receiving a requisition signed by most of  
 the civil officers, all the principal inhabitants, and all the military  
 officers†; whereupon Governor Bligh was arrested, and every  
 man returned peaceably to his home, and became obedient to the  
 laws.  
 That although your memorialist knew that the late Governor  
 had acted in defiance of, and in contempt of, His Majesty's Ministers,  
 although your memorialist had suffered from the insecurity  
 of his property, although your memorialist had been denied the  
 benefit of the existing laws against one of his women servants

Military officers summoned to appear before Bligh.

The convicts.

The inhabitants.

Major Johnston sent for.

Bligh arrested.

Blaxland's incentives to oppose Bligh.

\* Presumably by "inhabitants," Blaxland meant the free settlers and merchants—i.e., the population other than soldiers and convicts.

† Blaxland's account of the circumstances immediately preceding the arrest of Governor Bligh is utterly unreliable. The requisition to which he here refers as being signed by all the principal inhabitants and all the military officers was not signed by any of the military officers, and there is evidence to prove that prior to the arrest it was not signed by more than nine persons—probably by less.

whom the Governor wished to have, and did afterwards keep in his employ ; and although your memorialist was under a criminal prosecution for no fault or crime that he is sensible of, in which, if the Criminal Court had been destroyed, with such men as Governor Bligh, Judge-Advocate Atkins, and George Crossley, he had everything he held dear at stake, perhaps his life ; that he did not act the part of a conspirator, nor did he take upon himself the responsibility of a ringleader. Your memorialist thought, as the inhabitants at large thought, and acted as the inhabitants at large acted, to prove what it is only for your memorialist to state, that to conspire or plot he had no time, or to be a ringleader he had not sufficient influence. He was not present at the first meeting, which took place near the Barracks, and at that meeting, at which it was deemed necessary to put the Governor under arrest, he was not present until Mr. McArthur's liberation had been agreed upon. The whole transaction did not occupy more than two hours, and your memorialist was totally unacquainted with any plan or conspiracy to depose the Governor being in agitation until he, seeing the town in confusion, went with many others to the Barracks after Major Johnston had been sent for and had arrived.\*

1809

7 Nov.

Blaxland not a ringleader.

No knowledge of preliminary steps.

That your memorialist, finding it necessary to return to England, took a passage on board an English ship, the Rose, commanded by one Rich'd Brooks, and on the ship's arrival at the Cape of Good Hope, he was, in consequence of a conspiracy between Capt. Bligh, the before-mentioned Rich'd Brooks, and one George Mallett, nephew to the said Rich'd Brooks, arrested and taken with all his baggage from on board the said ship Rose, and carried before a Dutch tribunal, which your memorialist is advised was illegal, as he was not accused of having violated any law or regulation at the Cape. That in the Dutch Court a letter was produced from Capt. Bligh to Lord Caledon, the Governor, and read, containing accusations against your mem't, which he, the said Capt'n Bligh, knew to be false, a copy of which letter your mem't was refused.

Blaxland arrested at the Cape,

That, after undergoing an examination, and having all his baggage and all his papers examined, and part taken from him, which papers have since been returned by Mr. Cook, and although the accusations contained in this letter were false, yet, without any depositions being taken, or any warrant being issued, your

and imprisoned.

\* Blaxland adhered to this statement in his evidence at the Court-Martial held in England on Lieutenant-Colonel Johnston. All the available evidence goes to prove that the preliminary steps were taken by the military officers alone. John Blaxland's name appears second on the requisition of 26th January, 1808, requesting Johnston to arrest Bligh ; but when that requisition was penned the first act of mutiny, viz. the release of Macarthur and the assumption of the title of Lieutenant-Governor by Johnston had been committed, and it was impossible for Johnston to turn back. The requisition in every sense was a *post factum* document ; and Johnston recognised when on his trial that it was not worth the paper it was written on.

- 1809  
7 Nov. mem't was, contrary to the laws of England, sent by a Dutchman to a Dutch prison, where in a noisome jail your memorialist was confined one month, and caught the jail fever, from the effects of which he is still a sufferer.
- Blaxland  
ent Home  
on a man-of-  
war. That your mem't, very ill with the fever, was taken from jail at the Cape by the order of Lord Caledon, and sent in confinement on board His Majesty's ship the Powerful, commanded by Capt'n Johnston, who, although your memorialist's station in society entitled him to a better situation, sent him down into the cockpit, where your mem't verily believes he should have ended his days but for the interference of a friend, who obtained him one of the officers' cabins in the gun-room.
- Examined  
by the  
Under-  
Secretary. That after three months' illegal confinement on board the Powerful, man-of-war, during the whole of which time he was under the care of the surgeon, in consequence of the fever he caught in the jail, your mem't was sent in the degraded situation of a prisoner, under the charge of a lieut't of the Royal Navy, from the Downs, through his native county and under the eyes of the people he had formerly associated with, to the Secretary of State's Office, where, after a short examination by Mr. Cook, on the 20th of May last, from whom he could not obtain any information as to the cause of the treatment he had met with, your mem't was suffered to be at large on his parole, being ordered to leave his address at the office, with which he complied.
- No know-  
ledge of  
charges  
against him. That your mem't has been a prisoner since the 13th of January last; that he has never been able to obtain a copy of the charges under which he has been so confined, nor has he been furnished with a copy of any warrant or authority by which he was arrested and committed to gaol.
- Blaxland's  
business at  
Sydney. That your mem't, notwithstanding all the opposition he met with from Gov'r Bligh, was serviceable to the colony.
- He reduced the price of cattle and meat; he reduced beef and mutton from 2s. 6d. to 1s. per lb. He occasioned a regular supply of milk, made butter for sale, and supplied the market with vegetables, and brought the manufacture of salt to a state of perfection it had never before arrived at for the curing of meat.
- That, although your mem't looks with confidence to the laws of his country for redress, he is aware that the delay in obtaining it may be attended with great inconveniences.
- That your mem't, therefore, earnestly prays that his case may be taken into consideration.
- JOHN BLAXLAND.

## GOVERNMENT AND GENERAL ORDER.

11 Nov.

Head-quarters, Sydney, 11th November, 1809.  
WILLIAM BROUGHTON, Esq., is appointed a magistrate for the county of Cumberland, and is to be obeyed and respected as such.

## COUNSEL'S OPINION ON BLIGH'S ARREST.

1809

My Lord,

17th November, 1809.

17 Nov.

We had the honour to receive your Lordship's letter dated 23rd October, 1809, inclosing to us, by the King's commands, a correspondence which had been received from New South Wales (according to a schedule thereto annexed) relating to the arrest and imprisonment of Captain Bligh, His Majesty's Governor there, and the assumption of the government by Major Johnson and afterwards by Lieutenant-Col'l Foveaux. Papers relating to arrest of Bligh.

You also enclosed to us an abstract of the case made under Lord Castlereagh's direction by Mr. Counsellor Harris, and you likewise inform us that the said Major Johnson and Mr. McArthur, who appeared to have taken a very active part in the transactions above mentioned, were daily expected to arrive in England.

And you desire that we will take the said papers into our consideration, and report to your Lordship, for His Majesty's information, our opinion as to the steps which may be proper to be taken by His Majesty's Government therein. Legal advice.

We have, accordingly taken the same into our consideration, and have the honor to report to your Lordship that we think Major Johnson, Mr. McArthur, and the persons concerned with them, were guilty of a conspiracy and high misdemeanor in the arrest and imprisonment of Governor Bligh, and in the assumption of the Government of the colony of New South Wales on themselves. Conspiracy and high misdemeanor.

That, as there might be a doubt raised whether Major Johnson was a person within the meaning of the statute 42 G. 3rd, cap. 85, if proceeded against by information in the Court of King's Bench; and as he certainly may be tried for mutiny by Court-Martial under the Mutiny Act, we think the proper step, as to him, would be to bring him to a Court-Martial. Johnston's legal status.

That Lieut.-Col'l Foveaux is also liable to be tried by a Court-Martial on a similar charge of mutiny in continuing the arrest and imprisonment of Governor Bligh on his taking the command in the settlement. Foveaux implicated.

That as these offences were committed out of the Kingdom, there is no jurisdiction here to try Mr. McArthur and the civil persons concerned with him; and, therefore, he should be sent back to New South Wales, and a prosecution should be instituted in the Criminal Court there against him, and such other persons, for a misdemeanor, as was done in the year 1779 in the case of Stratton Brooke and others, for the arrest and imprisonment of Lord Pigot, and the assumption of the Government at Madras. MacArthur amenable to *lex loci*.

That the evidence to be collected from the correspondence, principally affects John McArthur, Nicholas Bayly, Doctor Townson, The principals.

1800 John Blaxland, Garnham Blaxcell, and Thomas Jamieson, as having  
 17. Nov. previously concerted together with Major Johnson the arrest and imprisonment of Governor Bligh, and having afterwards borne a part in the assumed Government. We have, &c.

V. GIBBS.  
 THOS. PLUMER.\*

GOVERNMENT AND GENERAL ORDER.

18 Nov. Head-quarters, Sydney, 18th November, 1809:  
 Officers' THE officers, civil and military, who have not already given in  
 servants. lists of their servants off the store (agreeable to the General Order of the 21st ultimo), are requested to send them immediately to the Secretary's office, distinguishing whether such servants are free or prisoners, and mentioning in what ships they arrived in the Colony; and they are further requested to make returns of such individuals of their own families as are not victualled from the public stores.

JOHN BLAXLAND TO THE EARL OF LIVERPOOL.

27 Nov. 27th November, 1809:  
 REMARKS on the state of the Colony of New South Wales, pointing out a few of the leading circumstances which gave rise to the arrest of the late Governor Bligh.†  
 Blaxland on THE inhabitants of that colony have been accused of disaffection  
 the arrest of and rebellion because Capt'n Bligh did, by his oppressive and  
 Bligh. lawless conduct as their Governor, drive them to a state of desperation.

It will be found that their conduct has merited better treatment than they have met with, and that, so far from being disaffected towards His Majesty or his Government, they pray most earnestly to be made partakers in some of the blessings of an English Constitution—namely:

Redress of That they may have some known laws whereby they are to  
 grievances. be governed.  
 That they may have a humane and enlightened Governor, assisted by a Council.  
 That they may have an upright Judge, not to hold his situation during the pleasure of the Governor.  
 And that they may have the trial by jury.

Condition of To prove the above position, it is only necessary to look at the  
 New South patience under which they have quietly submitted for the last  
 Wales. 8 or 9 years to sufferings unexampled for the length of time under any European Government. During that period of years it will

\* Sir Thomas Plumer was subsequently Vice-Chancellor and Master of the Rolls.

† Blaxland's remarks are published for what they are worth. He was evidently misled in several respects by violent personal and party bias.

be found that, with all the advantages of good land in a state of cultivation, good climate, and all the other means of growing double their own consumption of corn, they have been kept in a state of precarious dependence upon this country for bread—sometimes with bread to eat and frequently without any. That a great many persons have in consequence been reduced to poverty and nakedness. That this country has been put to an enormous expence to send the inhabitants of that colony such precarious supply of bread, merely because it was the will and pleasure of the Governor of that colony that it should be so, and because the Governor, unfortunately, had the power of making impolitic and arbitrary laws.

1800

27. Nov.

Agricultural stagnation.

To explain the causes which ultimately led to the arrest of Gov'r Bligh we must take a view of the colony at its first formation at the time Gov'r Hunter left it, and look at but a few of the errors committed by Gov'r King and the numerous abuses committed by Gov'r Bligh.

Retrospect.

When the colony was first established in 1788, the inhabitants were composed of only two descriptions of people—the immediate officers of the Crown and the convicts. The powers with which the Gov'r was vested were, of course, very extensive, and it might not be thought necessary to fetter him with legal restrictions; therefore the courts of law were very imperfect and their mode of procedure very summary.

Convicts and officers.

In a few years the state of society became changed. Many persons who had been convicts became free British subjects, and obtained property by their industry, and many persons settled there in mercantile pursuits; and we find that, from the year 1796 to 1800, in Gov'r Hunter's time, the population had very much increased, and under his mild and protecting hand property was secure; agriculture made such rapid progress that the inhabitants grew the whole of their own consumption of corn; pork was sold at 6d. per pound; and if his system had been pursued for two years more, the settlers would have (from farming) acquired a capital sufficient in the colony to have enabled them to rear all the meat wanted for their use.

The birth of trade.

Material prosperity.

He granted lands, assisted the cultivator with labourers, and bought their corn, by which they acquired capital to rear hogs and sheep, as well as to pay for the clothes they wore, and for other comforts. He kept grain in the storehouses, with which in case of a flood—no unusual thing in that country—he not only supplied the inhabitants with bread, but also with seed corn.

Hunter's policy.

In his dispatches, as far back as the year 1796, he states the capability of the colony to raise its own supply of corn, and that the settlers would, if encouraged, be able to save the expence of victualling all the useful convicts.

Food supplies.

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—  
Hunter  
averse to  
Government  
farming.

In other dispatches he points out the disadvantages of Government attempting to grow corn as ruinous to the farmer, and prejudicial to the interest of this country\*; he proves the necessity of keeping grain in the storehouses; he states that the land is wonderfully fertile, and strongly recommends the distribution of Government cattle.

He felt that from the encrease of population, and the state of civilization, that some changes were necessary in the Government, and strongly urged an alteration in the administration of justice.

Blaxland's  
strictures  
on Governor  
King.

It unfortunately happened that Governor Hunter's interest at Home was not so strong as Capt'n King's. His advice was neglected, and Capt'n King became Governor in 1800, on whose conduct it is painful for the writer to reflect; but truth and justice requires it should be known that, from his want of knowledge in the laws and customs of civil society, agriculture, and commerce, and from his mistaken notions of economy, evils of great magnitude arose, which have occasioned large and unnecessary expences to this country, and distress and poverty in the colony, out of which grew discontent and dispondency among the inhabitants which under such arbitrary and illegal conduct broke out into rebellion in his time, and ended in the arrest of Capt'n Bligh.

Arbitrary  
laws.

Gov'r King made arbitrary laws for trade and commerce. His law concerning spirits did not diminish the consumption, but introduced smuggling and speculation amongst the higher orders of society, and he, poor man, thought it as easy to order the corn to grow as it was to order his ship under way.

Price of  
corn.

He fixed a maximum on corn 20 per cent. less than the settlers could grow it for, and would not buy even at that price for His Majesty's use, although the storehouses were empty. The settlers, to prevent a total loss, were obliged to feed their pigs with wheat, by which many were ruined, and the next year but little was grown.

Labour  
under King.

In all infant colonies, the want of labourers is severely felt. Instead of distributing the useful convicts amongst the settlers, who would gladly have relieved Government from the expence of their keep, he employed them, according to his visionary ideas, in growing corn on Government account. The cattle, which had now become very numerous in the colony, he continued to keep in pens like sheep, whereby their increase is checked, and the colony deprived of their labour, milk, and manure. The farmer soon

\* This statement is not borne out by the letters of Governor Hunter which have survived. Hunter was certainly in favour of encouraging farmers—particularly officers—by transferring to them the services of convicts; but he appears to have been in favour of the system of Government farming. On 1st June, 1797, he wrote to Under-Secretary King: "I trust I shall soon have as much ground in cultivation on Government account as will prevent the necessity to such an extent of purchasing from individuals grain of any kind"—vol. iii, p. 211. In eight months (October, 1796, to June, 1797), he prepared and planted 300 acres with wheat on Government account; and in January, 1798, he informed the Duke of Portland that he was "determined to use every effort in my power to render Government as far independent as possible of the farms of individuals"—vol. iii, p. 347.

became poor, deserted their houses, and left their lands uncultivated; the breed of hogs diminished in proportion to the ruin of the settlers. 1809  
27 Nov.

The storehouses became empty, and one overflowing of the River Hawkesbury produced all the horrors of famine, and obliged the inhabitants of that country to become again dependent on this for bread, in which state it has been kept ever since. This happened in the year 1801. Losses by food.

In Oct'r, 1800, Gov'r King issued an order forbidding the master of any vessel to sell any part of his cargo until he had refused it himself, and fixing an arbitrary price on the invoice. At the same time he ordered that no greater profit than 20 per cent. should be taken on any one article retailed out, although a man might buy an investment containing many articles which would not fetch prime cost.\* Trade at Sydney.

In the same month† the maximum on wheat is fixed at 8s. per bushel, other corn in proportion, and he was compelled in June, 1801,‡ to call on the inhabitants for supplies of grain. Price of wheat.

In May, 1801,§ the rations—that is, the daily allowance of food issued by Government to the inhabitants—were reduced in salt meat, and notice given that in the course of next month there would be a reduction in the quantity of grain. Reduced rations.

In June, 1801,|| notice is given of a further reduction in the rations in corn.

And on the 19th March, 1802,¶ the Governor states that he has no provisions to issue for women, children, and infirm men, who are accordingly struck off the stores until further orders. Food supplies in 1802.

In May following a further reduction in the ration is ordered.\*\*

In October, 1802, the wives, children, and female servants of the civil officers, soldier's wives, &c., &c., are not allowed anything to eat.

In a memorial sent by the officers in the New South Wales Corps, dated 8th November, 1802,†† the following strong passage was inserted, alluding to the years 1797–8–9:—"The poor in those times were never starved to death, nor was Government required to import flour to this colony, and that at a very heavy expence, to prevent a repetition of such dreadful distresses." Condition of the poor.

The same memorial states that within the last two years they have scarcely ever received a full ration.

In 1806 the scarcity of grain was so great that the hogs were directed to be killed.

Wheat in August, 1806, was 45s. p'r bushel. That the inhabitants of New South Wales had just grounds of complaint during Governor King's time, which lasted six years, no man can deny. Scarcity of wheat.

\* The General Order referred to will be found printed on p. 220 of vol. iv of these *Records*. King's obvious intention in framing this Order was to curtail the extravagant profit of the local trader.

† Vol. iv, p. 247.

‡ Ib., p. 379.

§ Ib., p. 303.

|| Ib., p. 404.

¶ Ib., p. 728.

\*\* Ib., p. 743.

†† The petition referred to is not available.

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Bligh's  
powers.

In the year 1806 Captain Bligh became Governor. He was appointed with powers almost absolute over the lives, liberties, and property of 14 or 15,000 British subjects.

He was sole legislator in matters of property, commerce, and agriculture, and had the prerogative of carrying into execution the sentence of death, if adjudged by the Court of Law or Courts-Martial.

Courts of  
law.

The Courts of Justice were so framed as to become the instruments of oppression, of which he soon availed himself. There were two—a Court of Criminal Jurisdiction and a Court of Civil Jurisdiction. The first consisted of six officers, naval or military, with a Judge-Advocate, who had a vote. The officers were named by the Governor, and he had the power of removing the Judge-Advocate, who was accuser, judge, and juryman.

Criminal  
Court.

In this Court were to be tried all cases of treason, felony, &c., according to the laws of England, and they are directed to proceed in a more summary way. The officers could not be supposed to know much of law, and the Judge-Advocate had never studied it, but gave his opinion and vote according to the advice he might receive of Gov'r Bligh through George Crossley, and who was on particular occasions consulted, bullied, and brow-beat, by the Governor and his junto.

Civil Court.

The Court of Civil Jurisdiction is directed to be composed of the Judge-Advocate and two fit and proper inhabitants, one of whom, with the Judge-Advocate, have the power to hear and determine, in a summary way, according to justice and right; but whether the standard of justice and right is to be taken from the Jewish or English laws, no direction is given. This Court takes cognizance of all matters of property, with the power of arrest, probate of wills, &c., &c.

Bligh and  
the Court.

The Civil Court, by the assistance of Judge-Advocate Atkins, who gave his opinion according to the dictates of the Governor, and by the selection of the persons he made to sit with the said Judge (for instance, a transported Irish priest was managed at pleasure), and it was a difficult thing to have a cause heard against the Governor's friend—as in the case of Lord & Co. against John Palmer, Commissary; and the case of Robert Campbell against Isaac Nicholls proves that they were biassed on those occasions.

George  
Crossley.

In the Criminal Court, George Crossley was employed to draw up indictments by the Gov'r and Judge Atkins, and, afterwards, in violation of all law, and breach of all decorum, was employed to plead as a counsellor for the prisoner, as in the case of Mr. Gore, when he pointed out the very flaws in the indictment he had made himself, and the prisoner thereby escaped justice.

Should the decision of the Court be against the wishes of the Governor (an acquittal), he, nevertheless, inflicted punishment. George Crossley was also employed to tamper with and to furnish witnesses with copies of the questions to be asked them.

To serve particular purposes, the Governor has converted a Bench of Magistrates into a Court of Justice, and inflicted illegal punishments and fines. 1860 27 Nov.

The success of these plans against the rights and privileges of the inhabitants made the Gov'r throw off all restraint. He openly damned the law, and said there should be no law but his will, reviled His Majesty's Ministers by calling them clerks in office, and gave free indulgence to the worst of passions. Several persons have heard him damn His Majesty's Minister's, and say that they governed at home as they liked, and he would govern there as he liked. Charges against Bligh.

In agriculture, he pursued the same steps as his predecessor; except that he became a farmer on his own account on a large scale. His dairy alone produced him a pound a day; he was, therefore, interested in keeping up the price of provisions (his table being supplied from the public stock). He employed the labourers on his own farm which Governor King employed on the Government account. Bligh's private farm.

The farmer had no inducement to exert himself. He wanted labourers and a market for his corn. The labourers he could have certainly had if the oxen and convicts had been distributed, and the market he could have had if corn had not been sent from this country, and particularly so if distillation had been allowed, instead of spirits being carried in by Americans and other ships, draining the colony of its ready money. Farm produce.

The Governor and Commissary being largely concerned in agriculture, and wishing to get their own and friends' corn into the store in preference, proper attention was not paid to the quality of the wheat. In consequence, it has been taken in fifteen pounds p'r bushel less than the usual weight, badly cleaned, and no attention paid to keep it free from smut or soil. The seed wheat necessarily became bad. Selling wheat to the Government.

To breed and feed cattle until the land is enclosed, cultivated, and sown with artificial grasses, requires a very great tract. The natural grass, which is very coarse and rank, is very rapid in its growth, and the cattle will not eat it unless it is very young; and, as they are not confined to space, they leave the greater part, to get rid of which, and to produce a fresh crop, the grazier is obliged to set it on fire. This is attended with some trouble and expence, and perhaps when he has so done, and the new crop grows, his neighbour turns his cattle on, to avoid which the writer, from having been refused the land he wished to enclose, feeds his cattle fifty miles up the country. Difficulties of pastoralists.

How many millions of money it has cost this country to send victuals and clothes for nine or ten thousand persons for eight or nine years from England to New South Wales at the public Cost of maintenance.

1809

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expencc, when two thirds of the whole could have earned their victuals and clothes, and the other third have been fed with the produce of the country at fifty p'r cent. cheaper, the writer is not at present prepared to state, or the effect it has had, and now has, upon the high price of provisions here ; but this he is prepared to say : that that colony, instead of depending upon this country for bread, ought at this time to have been able to have assisted it, not only with corn, but with hemp, flax, tannen bark, &c., &c.

Bligh's  
arbitrary  
acts.

The late Governor made arbitrary and impolitic laws, and laws to favour individuals. It was made criminal to complain before a Bench of Magistrates of having property illegally taken away.

It never could be the intention of the Government of this country to suffer Gov'r Bligh to make laws for the Port of London. The merchants here are not acquainted that all their ships navigating those seas, notwithstanding they may have regular licences from this country, if in their fishing, or other pursuits, they should put into any port excepting Port Jackson, are liable to seizure, the other ports not being open to any ships except Mr. Campbell's.

Port orders.

No person is allowed to go on board any ship on its arrival in Port Jackson until Mr. Campbell has been and obtained knowledge of the cargo before any other merchant, and had an opportunity of purchasing it for sale.

All ships are ordered and obliged to unload at the public wharf, which is done by boats, at a great expence, and attended with great inconveniences. Mr. Campbell's ships unload alongside his own wharf.

Distribution  
of spirits.

If any part of the cargo consists of spirits, they are locked up in the Government storehouses, and the owner not allowed to have more than 20 gall's for his own consumption. For the rest, they are compelled to take what price the Governor chuses to fix—sometimes three pounds pr. gallon below its value ; but Mr. Campbell's ships being allowed to unload at his own warehouse gives him great advantages. It was declared illegal for Englishmen in an English harbour to leave their ship without first obtaining the Governor's leave.

A favoured  
officer.

The Regulations in the colony respecting spirits have occasioned fraud and peculation to an amount beyond calculation ; in fact the Port Regulations were such, that to facilitate the unloading a ship, and to prevent invidious distinctions being placed upon him, the master found it necessary in most cases to give Mr. Campbell, his agency, victualling, &c., &c.

It is now necessary to explain who this Mr. Campbell is, for whom particular laws were made, and for remonstrating against which merchants were sent to jail.

He was a merchant, ship-owner, wharfinger, general dealer, and chapman, and a supposed partner in trade with Governor Bligh, under whose management he could put oil into the store at 4s. per gallon when it could have been obtained for 2s. 6d., &c. &c.\* To promote the interest of the concern, Gov'r B. made him Naval Officer, Collector of Taxes, and Treasurer to the public funds. As Naval Officer, he was Harbour-master, Chief and only Custom and Excise Officer, and Postmaster, for nobody dared to deliver a letter but through him.

1809

27 Nov.

Serious  
charges  
against  
Bligh.

The shameful abuses the late Governor made of his prerogative has cast a blot upon the character of an Englishman. He obliged English subjects to quit their homes, their friends, and property, who had settled in the colony and were engaged in mercantile pursuits, as in the case of Williams, a person in a mercantile house, who had married a person born in the colony by the Governor's special licence, and Rowleson, who had commanded a merchant ship which he lost, was engaged as a clerk in the same house. These men, as belonging to a house in some degree the rival to Campbell's, without having violated any law or regulation of the colony, were with several others ordered to quit it; the last one was absolutely seized and sent on board ship. Alas! he never tempered justice with mercy. It is supposed that he did not know that we had such a word in the dictionary. One of the greatest pleasures he was capable of, if we may judge from the frequency of execution in his short time, was signing a death warrant. In cases of appeal to him against the decision of the Civil Court, he has been known illegally to augment the damages.

Alleged  
abuses of  
power.

Extravagant  
statements.

If Governor Bligh did not, like a Roman Emperor, order the city to be set on fire, he ordered the inhabitants' houses to be pulled down, and was gratified in their distresses. In addition to the writer's own case, part of whose leasehold land was ordered to be taken from him, he has a list of upwards of 20 persons whose houses were either pulled down or they were ordered to quit them, or their lands taken from them. Some affidavits to that effect are in the Secretary of State's Office.

The lease-  
holds.

If any person dared to object or remonstrance against the unlawful conduct of the Governor, his rage became unbounded; he lost his senses and his speech; his features became distorted; he foamed at the mouth, stamped on the ground, and shook his fist in the face of the person so presuming, even although it happened to be a Judge-Advocate or an officer on duty. On the recovery of speech, he uttered a torrent of abuse in language disgraceful to him as a Governor, an officer, and a man.

Bligh's  
alleged  
violence and  
abuse.

\* Blaxland's vehemence exposes him to a suspicion of wilful misrepresentation. There is not a scintilla of evidence to support this charge of corruption in connection with Bligh's relations with Campbell or any other firm of traders: we know that had it been possible to substantiate such a charge, neither the opportunity nor the inclination would have been wanting.

3309

27 Nov.

As far back as Oct., 1807,\* Major Johnstone sent Home a memorial complaining of the abusive, unofficerlike, and oppressive conduct of the late Governor; and in his letter of April 11th, 1808,† he accuses him of peculation and fraud.

Bligh and Short.

His conduct towards the late Capt'n Short is well known among naval men, and the influence which was used to prevent his recall on that occasion.

The French bogeey.

It may not be amiss to observe that Mons'r Peron, a person employed by the French Government, has taken a survey of the colony, and as some convicts have run away with a vessel from the harbour and sailed for the Isle of France, they may have given information of its present defenceless state. It is to be feared that if two frigates were to appear the settlement is not capable of opposing any resistance. J. BLAXLAND.

## GOVERNMENT AND GENERAL ORDER.

28 Nov.

Head-quarters, Sydney, 28th November, 1809.

Promissory notes.

It having been represented to the Lieutenant-Governor that attempts have been made by persons issuing promissory notes payable to bearer on demand to elude or resist the immediate payment thereof, by taking advantage of the adjournment of the Civil Court to the 2nd of January next, it is hereby directed that the Court shall be forthwith open to hear and determine all demands of this nature, notwithstanding the General Order of the 12th October last, which was meant solely for the relief and accommodation of the settlers and landholders whose property was injured or destroyed by the late inundations of the Hawkesbury and other rivers.

## JOHN MACARTHUR TO HIS WIFE.

London, 28th November, 1809.

My dearest, dearest Elizabeth,

A vessel for Sydney.

I am most happy and thankful to find a vessel on the point of sailing for Port Jackson. If her voyage be prosperous the receipt of this letter will relieve your mind from those apprehensions for my safety and that of the dear boys, which have I fear too powerfully agitated the most faithful and afflicted of human hearts. My letters from Rio Janerio would acquaint you our voyage to that port was not an expeditious one, and that Colonel Johnston and myself were determined on prosecuting the remaining part on board a Liverpool ship. In her we had less reason to think ourselves fortunate than in the Admiral Gambier, as we were twelve weeks before we made the coast of Ireland, and were at last obliged, after buffeting about almost a fortnight, to land at Limerick. From that city we proceeded by land to Cork, and embarked from thence for Bristol, which we reached all in good health on the 9th ultimo.

Voyage to England.

\* Vol. vi, p. 652.

† Ib., p. 575.

As I had apprised Mr. Thompson of the route we had intended to pursue, Edward, who is stationed at Hereford with a recruiting party, hastened to meet me ; and I had the satisfaction, within an hour after I had set my feet on English ground, to see our dear boy in good health, and infinitely more robust in appearance than when he left us. There was also a letter from our dear John, expressing the utmost impatience to hear of the safety of his father and brothers.

1809

28 Nov.

Edward  
Macarthur.

I shall now speak of my own more immediate affairs, and as I greatly fear some of our good friends will increase your apprehensions by their idle reports of the hostile disposition of Government towards us, let me entreat you, my beloved wife, to believe my solemn assurance, that so far from having anything to dread, we have the utmost reason to expect a successful termination of the business we have undertaken ; and that when a full disclosure of the iniquity of our adversaries is made, they will all be overwhelmed with the contempt and detestation they so much deserve.

Public  
opinion in  
England  
on Bligh's  
arrest.

How it might have been had Lord Castlereagh and that northern bear, Mr. Cook, remained in office I cannot say ; for certain it is they had both declared themselves adverse to us—and had they retained their authority they would have increased our difficulties, and perhaps, in the end, have crushed us altogether. We ought, therefore, to think ourselves very fortunate that these men are removed, for from what I hear and know of their characters, it is not trifles that would deter them from executing any plan which they might conceive their interest required them to pursue.

Castlereagh  
and Cook.

On the day of our arrival at Bristol, Johnston waited on the Duke of Northumberland at Clifton (a place contiguous to that city) but found His Grace preparing to set off into Devonshire the following morning. The Duke received him in the kindest manner and intimated his wish that he would follow him into Devonshire. As this was not to be neglected, Johnston left town last night ; and I hope he will obtain the sanction of His Grace to a plan which I suggested to hasten an enquiry into our conduct. Perhaps Edward has already informed you how handsomely the Duke exerted his interest to procure him a lieutenancy in the 39th Regiment, and that the moment His Grace heard of our safe arrival at Rio he most obligingly wrote to Edward to congratulate him upon the news. If I should be so fortunate as to obtain the protection and good opinion of this noble family, my misfortunes may yet prove a source of advantage to our children, if not to ourselves.

Johnston  
meets the  
Duke of  
Northun-  
berland.An influen-  
tial noble-  
man.

It remains to be ascertained what part my old acquaintance, Sir Walter,\* will take. He promises largely, and may perhaps, by a little management, be induced to perform. Mr. Watson received me in the same kind and frank manner I had a right to expect from his past friendship, and I have since received repeated proofs of

English  
friends.

\* Doubtless Sir Walter Farquhar.

1809 his goodwill. Lord Camden continues President of the Council. Of course I cannot expect to be received by him until matters are settled, but I have good reason to think he is well inclined towards me.

An influential friend.

Edward Macarthur a general favourite.

Mr. Brogden, who you already know is one of the Duke of Northumberland's members, is amongst the forwardest and most active of our advocates. This gentleman paid great attention to Edward after his return, and when he left England commenced a correspondence with him, which has continued without interruption, and already produced a friendship as flattering as it is likely to be beneficial to the boy. Scarcely a week passes but Mr. B. writes to him, with as much warmth of expression as if he were his son, and advises him with as much earnestness as if his own happiness depended upon his advice being adopted. The Duke of Northumberland also spoke of him in warm terms of praise to Colonel Johnston; in short, he appears to have created friends wherever he has been introduced, who kindly attribute to him the virtues of spirit, temperance, intelligence, and a score of other good qualities. Mr. Thompson told me the other day that he asked an officer of the 60th how he liked him, and was answered, "Who can help liking him? Wherever he is known he becomes a favorite." To this most gratifying account of our eldest born I can add of my own knowledge, that he is industriously qualifying himself for that rank in his profession which he has the fairest prospects of attaining if it please God to spare his life.

Macarthur's daughter.

What would I give to be assured that our poor sufferer Elizabeth is to be a participator with you in the pleasure this relation will give. I fear, however, too fondly to cherish hope lest if the worst should happen I be found entirely unprepared for the event which I dread. May God mercifully please that your next letters may remove my sufferings upon this excruciating subject.

News from Sydney.

December 11th.  
When I had concluded my last sentence I felt my spirits too much depressed to proceed, and therefore gave up the attempt. Early the following morning I heard the Eolus was arrived, and in the course of the day Mr. Blair called and assured me Captain Addie had letters from you. About a week after I received a large packet from Mr. Oxley, and Mr. Thompson another from you (which enclosed the bills I left you to forward). Happily Oxley's letter contained information that you and all the family were well, in which all, I must conclude, from the spirits in which he writes, that my dear Elizabeth is included. I will not attempt to describe, because I feel it is impossible, how happy this joyful, this almost unhopd for and unexpected news has made me. Poor dear creature, I left her under the fullest conviction that, in this world, we were never more to meet. Thank God for mercifully determining otherwise.

An invalid daughter.

But what can have become of your letter to me, for I cannot doubt your having written. Perhaps Captain Addie keeps it to deliver himself ; if so, a few days will remove my suspense.

1860

28 Nov.

I must now, my dearest Elizabeth, acquaint you with a circumstance, which, as it may be told you with aggravated particulars, it would be improper to attempt to conceal. Let me, however, first assure you that at this moment I am free from all complaints, and hope soon to recruit my strength. The evening of the day (28 Nov'r) I ceased writing I was seized with violent spasms in my side, which increased rather than abated in their violence until last Friday (three days ago). On the Saturday I felt entirely relieved from pain and have continued so ever since, and I have the satisfaction to add that Sir Walter has assured me I shall be quite myself again in a fortnight, provided I am obedient to orders—which you may depend upon it I shall be, for many persons sakes. Having now told you the worst that can be told, unless truth be violated, I shall rely upon your not tormenting yourself with needless apprehensions for my safety, and that you will believe me when I declare I am at this moment in excellent spirits and altogether without pain or disease of any kind.

Macarthur's health.

A sudden illness.

Convalescence.

Colonel Johnston has returned from the Duke of Northumberland, with His Grace's opinion respecting our future operations, and he is gone off to our solicitor to communicate the Duke's opinions. All I have at present time to say upon the subject is, that our affairs wear the most promising aspect. It is my intention now to keep a daily journal which I shall transmit whenever there are opportunities.

Colonel Johnston and the Duke of Northumberland.

Mr. Jamieson arrived a week ago, and Dr. Harris and Walter Davidson last Friday ; they are all well. Bligh\* having included W. D.\* in the proclamation appears to have touched Sir W. to the quick. It will not surprise you that honest Sam Marsden† has displayed more than his accustomed activity in propagating the most diabolical falsehoods for the purpose of creating favourable opinions of the virtues of his friend Bligh and his party ; whilst, on the other hand, he has blackened the character of myself and the opponents of Bligh by the most scandalous reports, either entirely untrue, or exaggerated in that peculiar style that he has been so very celebrated for in New South Wales. I send you a review containing a faithful drawn character of the immaculate priest, and I hope, by the next ship, to send you some commentaries upon this most extraordinary text, which will, I think, throw some additional light, if not lustre, upon the life and conduct of this pious missionary. I declare to God, I think the people of England the greatest dupes in the universe.

Arrivals.

A violent partisan.

I am informed a transport with stores will be ready in three weeks. By her expect particular details of all we are doing. The Colonel is in high spirits.

A ship for N.S. Wales.

\* Walter Davidson.

† Rev. S. Marsden.

1809 Edward will most probably come to town with James and William this week, as he daily expects an order to join the 1st Battalion of his regiment at Malta. John is now with me in town, and I hope soon to be sufficiently disengaged to turn my whole attention to the consideration of a plan for the completion of his education. He is a fine youth, and I trust in God will be fortunate; but when I contemplate him, and observe the too prominent parts of his character, which he derives from a person you well know, he makes me shudder for his safety on the voyage of life. He is now 5 feet 9 inches high, and has indications about him of rising to 6 feet. His person and manners are exceedingly prepossessing—the latter are indeed as soft and winning as can be wished; but under this softness I can discover an indescribable fierceness of independence, and an obstinacy to pursue what he has once determined on, which neither reason nor dread of future consequence are likely to operate upon him to relax. I wish it were otherwise, for altho' it may lead to much good, it is accompanied with too many and too great dangers. He is, apparently, possessed of a most excellent constitution.

\* \* \* \* \*  
Macarthur's daughters. I shall expect letters from my dear Elizabeth and Mary by the next ships; they can require no assurances of my unalterable affection. My dear little Emmeline must now be a sweet, engaging prattler. Give her a hundred kisses for her father.

Friends at Sydney. As it is probable the New South Wales Corps will be gone before this can arrive, I know not to whom to desire remembrances to; but if they are not, you will have the goodness to use my name, not only to the few friends I have in the Corps, but to all out of it to whom it would be proper I should give proofs of respect and regard.

Captain Kemp. If Kemp be in the Colony, tell him he will receive full information respecting his father's intentions towards him, altho' I have nothing certain to impart at this time.

The trial of Johnston. Colonel Johnston is returned from our solicitor, and on Wednesday we commence our legal operations, with the aid of some of the ablest counsel in the Kingdom. My little friend, Mr. Williams, has entered into the business with all the spirit and energy I calculated upon. He is of opinion it will become one of the most popular and interesting cases that has come before the publick for many years. Bligh is now universally execrated. Before we arrived he was pitied.

May the Almighty preserve and protect my beloved wife and girls, is the fervent and unceasing prayer,

My dearest Elizabeth.

Your most faithful and affectionate husband,

JOHN MCARTHUR.

A postscript. P.S.—I need not caution you not to communicate to any one what I have said, doubtingly or adversely, respecting great men in

this country. It is surprising how trifles fly. This moment is put into my hands a most kind letter from General Grose, who is in Ireland. He and Mrs. G. desire to be kindly remembered to you. By Mr. Moore I shall send a trunk of what I know will be most acceptable. I hope, in six weeks, to see your mother. She is perfectly well.

1809  
28 Nov.

## SURVEYOR GRIMES TO THE TREASURY COMMISSIONERS.

My Lords, — November, 1809. — Nov.

I had the honor of presenting a memorial to your Lordships, dated 28th June last,\* praying the payment of two years' salary that was then due to me as Surveyor-General in New South Wales. I have been unfortunate enough not to have received relief. My means of living are exhausted, I am much involved, and have been since my arrival in England in very bad health.

Grimes's  
salary,

I have received no intimation that the commission that your Lordships honored me with is revoked, which has precluded my attempting to obtain a livelihood by any other means. I beg respectfully to state that I have been upwards of twenty-two years in His Majesty's service, and most earnestly do I pray your Lordships to take my case into your consideration.

and services.

I have, &c., CHARLES GRIMES,  
Surveyor-G'l of Lands, N.S. Wales.

## PROCLAMATION.

By His Honor David Collins, Esquire, Lieutenant-Governor of His Majesty's settlement at Hobart Town, Van Diemen's Land, and Colonel in the Royal Marine Forces, &c., &c., &c.

6th December, 1809. 6 Dec.

WHEREAS a proclamation was issued by Lieutenant-Governor Paterson, bearing date the 19th of March, 1809, whereby for the reasons therein stated all persons whomsoever in or belonging to the territory of New South Wales and its dependencies were strictly prohibited having any intercourse, directly or indirectly, with William Bligh, Esquire, or any one of his family, on pain of being considered abettors of sedition and enemies to the peace and prosperity of this colony.

Paterson's  
proclama-  
tion cited.

And whereas the said proclamation was published throughout the settlement and rendered so notorious that no one can plead ignorance thereof; nevertheless, in direct disobedience thereof, and in express opposition to my orders for the enforcement of the same, divers settlers and others have repeatedly held and do hold communication with the said William Bligh, Esquire, now on board His Majesty's ship Porpoise. I do hereby, regardless of the welfare and tranquillity of the people under my government, most

Collins  
forbids  
intercourse  
with Bligh.

\* Ante, p. 185. See also Under-Secretary Cooke's letter of 8th July, ante, p. 187.

1899

6 Dec.

positively forbid all His Majesty's subjects in this settlement from holding any intercourse or communication with the said William Bligh, Esquire, directly or indirectly, either personally or by letter or message, with him or any member of his family, on pain of being considered a determined opposer of the Government, and dealt with accordingly.

And I do hereby require all officers, civil and military, and all other His Majesty's faithful subjects, within this settlement, to be aiding and assisting in procuring a strict obedience to this proclamation, and to give immediate information to me, or some of His Majesty's justices of the peace, of any person or persons who shall attempt to act in opposition, neglect, or evasion thereof.

DAVID COLLINS,

Lieut't.-Governor.

#### GOVERNMENT AND GENERAL ORDER.

Government House,

Hobart Town, 8th December, 1899.

8 Dec.

Bligh's  
adherents.

Collins's  
view of the  
case.

THE Lieutenant-Governor is concerned to find that there are among the inhabitants of this settlement several who are so infatuated as to consider William Bligh, Esquire, to be still the Governor-in-Chief. From the moment he was suspended by Lieutenant-Colonel Johnson, his functions as the Governor ceased; and the officer who, in consequence of such suspension, executed the office of Governor-in-Chief was such to all intents and purposes, and was, as such, entitled to obedience from every one. It matters not whether this power was assumed by him or not. Existing circumstances rendered it absolutely necessary that it should be assumed, and the settlement could not remain in security without a chief. The Government, therefore, was taken into other hands until His Majesty's pleasure respecting the former Governor should be known. That pleasure has been signified, and it is now known that Brigadier-General Nightingale has been appointed by the King to the Government of Her Majesty's possessions in New Holland.

A warning.

The Lieutenant-Governor, therefore, warns all persons whomsoever in this settlement not to listen to the designing tales which may be spread among them for the purpose of withdrawing their allegiance from the legal Government of the country, as they will answer for the same at their peril.

He sees with pleasure that there are among the settlers many honest and well-informed men, who must see the necessity and propriety of these observations, and he looks to them for inculcating their truth among those of their own class who are wrong-headed and obstinately blind to their own interests.

DAVID COLLINS,

Lieut.-Governor.

## GOVERNMENT AND GENERAL ORDER.

1809

Head-quarters, Sydney, 8th December, 1809.

8 Dec.

**ALL** persons holding receipts given in payment for grain and animal food delivered into any of His Majesty's stores within the precincts of this settlement between the 1st January and 7th of November, 1809, are desired to present them forthwith to the Acting Commissary that they may be consolidated by bills on the Treasury, at which time they will obtain the Acting-Commissary's acknowledgment of their having been delivered to him.

Government receipts.

**All** persons having claims for the delivery of any other articles purchased on account of Government, between the above periods, are required to deliver in their respective accounts, that they may be finally settled before the commencement of the new year (1810), as no claims will be attended to after the 31st of this month.

Claims on the stores.

**And** all persons from whom debts are due to Government for cattle issued from the public herds, or for any other account whatever, are required to discharge the same on or before the 15th February next, by putting wheat or animal food into His Majesty's stores, or by such other mode as they may have agreed for, in failure of which the Acting-Commissary has received directions to take legal measures to enforce the payment.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 9th December, 1809.

9 Dec

**MR. WILLIAM EVANS**, Acting Assistant Surgeon to the colony, having entered into an extensive speculation in that species of Colonial paper currency from which the public has suffered so many impositions, the Lieutenant-Governor, deeming such conduct to be highly derogatory to the character of an officer of Government, has been pleased to dismiss Mr. Evans from his situation.

Surveyor Evans.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 14th December, 1809.

14 Dec.

**THE** Lieutenant-Governor judges it expedient to remind the settlers at the Hawkesbury of the liberal assistance and relief afforded them by Government in re-cropping their ground after the late inundations; and he expects they will now cheerfully come forward in supplying His Majesty's stores with such surplus grain as they may have to spare. He also wishes to bring to the remembrance of the settlers in general the prompt and effectual aid given them in getting their crops into the ground after the heavy rains in August last, which he trust will induce them to furnish the stores with the quantity of wheat required for the weekly consumption of those persons victualled by Government. And he particularly calls upon those persons who borrowed wheat

Settlers' crops.

1809 for seed from Government immediately to repay their respective quantities into the stores from whence they were supplied.

14 Dec. His Majesty's stores are now open for the reception of wheat at the several settlements, for which no higher price than ten shillings per bushel will be given at Sydney and Parramatta, and nine shillings at the Hawkesbury.

CHARLES COOKNEY TO EARL LIVERPOOL.

Castle-street, Holborn, No. 9,

15 Dec. My Lord, 15th December, 1809.

I am under the necessity of troubling your Lordship concerning the pay of Mr. Darcy Wentworth, who has for many years done the duty of First Assistant Surgeon to the colony of New South Wales.

Wentworth's pay. On the 1st March, 1805, I addressed a letter to Lord Camden, soliciting of His Lordship an order to Mr. Chinnery to pay Mr. Wentworth the salary of First Assistant Surgeon, but on the 24th May, 1805, I received a letter from Mr. Cooke, saying: "That in consequence of the arrangements made by Mr. Thomson, the then Assistant Surgeon, for the performance of his duty during his absence from the colony, having been sanctioned by Governor King, Lord Camden could not direct the payment of any part of the salary of First Assistant Surgeon to be made to Mr. Wentworth."

Wentworth acting as First Assistant-Surgeon. Under the above circumstances, tho' Mr. Wentworth continued to do the duty of First Assistant Surgeon to the time of Mr. Thomson's death, I have not been able to receive more than 7s. 6d. per day salary, but which I could not but consider a grievance, as it is well known that Mr. Thoresby, the person deputed to act for Mr. Thomson during his absence, was by no means competent to do the duty of First Assistant Surgeon, he being the junior surgeon, and frequently absent from the colony.

Difficulty in obtaining pay. The salary I last received was to 30th June, 1807, at 7s. 6d. per day. Mr. Thomson died 23rd May, 1807, from which time I considered there could be no possible objection to my receiving for Mr. Wentworth the salary of First Assistant Surgeon; but to my great surprize, when I presented the certificate of services to Mr. Chinnery, in order to receive such salary, he still objected paying me more than 7s. 6d. per day, observing that the copy of the certificate sent him was incomplete from its not stating from what period of time Mr. Wentworth had executed his office.

\* \* \* \* \*

Jamison in England.

Mr. Jamison, the Principal Surgeon to the colony, is now, I understand, in England upon leave of absence, and will be able to speak, I trust, as to the truth of the facts here stated if necessary; and may I be permitted, with all due submission, to ask of your Lordship whether, during Mr. Jamison's absence, Mr. Wentworth

will not be intitled to receive half the amount of Mr. Jamison's pay! And humbly craving your Lordship's attention to the facts here stated, and an order to Mr. Chinnery to pay me the salary of First Assistant Surgeon from Mr. Thomson's death, as also half Mr. Jameson's salary during his absence.

1809

15 Dec.

I remain, &c.,

CHAS. COOKNEY.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 23rd December, 1809.

23 Dec.

THE General Court-Martial, of which Major Abbot was president, is dissolved.

At the above Court-Martial was tried John Neale, private soldier in the 102nd Regiment, charged with having deserted from said regiment on the 8th instant, and not having returned until the 19th, when he was brought back by a party; of which crime he was found guilty, and sentenced to be transported as a felon, and to serve as such in New South Wales or its dependencies for the term of his natural life.

A deserter.

The Lieutenant-Governor has been pleased to approve of the sentence of the Court, and has directed it to be carried into effect accordingly.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 24th December, 1809.

24 Dec.

SOME new arrangements being in contemplation with respect to the Sydney and Parramatta Volunteer Associations, the Lieutenant-Governor is pleased to dispense with the further services of the officers belonging to them; and until the appointment of others to fill their places, the respective serjeant-majors will take charge of the companies, and be answerable that their cloathing, arms, and accoutrements are kept in proper order and repair.

The volunteers.

GOVERNOR MACQUARIE TO COLONEL PATERSON.

(Colonial Secretary's Papers.)

H.M.S. Dromedary, Port Jackson,

28th December, 1809, Thursday, 10 a.m.

28 Dec.

GOVERNOR MACQUARIE presents compliments to Colonel Paterson, and has the pleasure to inform him of his safe arrival here about half an hour ago from England with the 73rd Reg't, on board His Majesty's ships Hindostan and Dromedary, to take charge of the government of this territory. The ships have been obliged to anchor here for the present, owing to contrary winds; but Governor Macquarie hopes they will be able to get up to Sydney to-morrow, when he will have the pleasure of seeing Colonel Paterson.

Arrival of Macquarie.

1809

## COLONEL PATERSON TO GOVERNOR MACQUARIE.

28 Dec.

(Colonial Secretary's Papers.)

Sydney, Thursday, 28th December, 1809, 1 o'clock, p.m.

Paterson's  
compliments to  
Macquarie.

LT.-GOVERNOR PATERSON presents his compliments to Governor Macquarie, and has the honor to acknowledge the receipt of his note. The Lt.-Governor is this moment returned from Paramatta, and would have waited on Gov'r Macquarie on board the Dromedary, but is prevented by his ill state of health from having that pleasure.

## GOVERNMENT AND GENERAL ORDER.

29 Dec.

Head-quarters, Sydney, 29th December, 1809.

HIS Majesty has been pleased to make the following promotion in the 102nd Regiment :—Lieutenant Madden from the 73rd Regiment, and Lieutenant William Moore, to be captains of companies.

## GOVERNOR MACQUARIE TO COLONEL PATERSON.

(Colonial Secretary's Papers.)

On board H.M.S. Dromedary, Sydney Cove,

30 Dec.

Saturday Evening, 30th December, 1809, half-past 6.

Macquarie's  
landing.

GOV'R MACQUARIE has the pleasure to inform Lt.-Gov'r Paterson that the two ships have at length anchored here, and that he intends to land to-morrow morning at 10 o'clock at Sydney, and requests Col. Paterson will be so good as to direct the 102nd Reg't to parade under arms at that hour to receive him, and line the street from the wharf to the Government House, where Gov'r Macquarie hopes to meet the Lieut.-Governor.

## COLONEL PATERSON TO GOVERNOR MACQUARIE.

(Colonial Secretary's Papers.)

Sydney, Saturday Night, 30th December, 1809.

The official  
landing.

LT.-GOVERNOR PATERSON presents his compliments to Governor Macquarie, begs leave to acquaint him that the necessary orders have been issued to the troops to be in readiness to receive His Excellency on landing to-morrow morning.

## MEMORANDUM CONCERNING NEW SOUTH WALES.\*

Stores.

IN very distant and but seldom frequented settlements, like that of New South Wales, it is of the utmost consequence to husband with all possible care the Colonial stores of every description ; but particularly such as are of European produce or manufacture.

\* This statement is not signed, nor does it bear upon its face any indication of the person to whom it was addressed. It contains internal evidence of having been written by a person (apparently an officer) who was in the colony during the governorship of Hunter, and who returned to England in 1804. He was evidently familiar with the artillery at Sydney. The style and matter suggest that it was written by Barrallier. The supposition is strengthened by the fact that he arrived during Hunter's administration, and left in 1804. No date appears on it ; but it was found amongst the records of 1809.

As cables and cordage of every description is not only very expensive in the first instance, but extremely difficult to procure in so remote a colony, every possible means should be resorted to to preserve them. It is therefore absolutely necessary that three sets of mooring chains and bridles should be sent out and laid down in Port Jackson. One set equal to hold a ship of the line, and two sets for frigates. Such moorings would in a few years nearly repay their first cost by preserving the cables, and most likely the ships and crews, when employed upon necessary service on unknown, or at least very unfrequented coasts, where anchors and good cables are the only means of preservation.

1800  
30 Dec.

Moorings  
wanted in  
Port  
Jackson.

North Harbour, near the entrance of Port Jackson, is a very proper station for ships of war for the protection of the port; but it is also necessary that one set of moorings for a frigate, or sloop, should be laid down directly opposite the town of Sydney, to command the navigation up the harbour, or occasionally the town and neighbourhood of Sydney.

North  
Harbour.

No merchant vessels, except coasters, of whatever nation or country should be permitted, when entering the port, to proceed directly up to Sydney. They should be obliged to anchor in North Harbour, and wait for permission to proceed, or unlade. This would, in a great measure, put a stop to smuggling.

Port  
Regulations.

An able officer, combining the abilities necessary for master-attendant, harbour-master, and nautical surgeon should be appointed, and provided with necessary instruments.

Naval  
officer.

A lieutenant with a party of (not less than) thirty marine artillery, including a master gunner, should be sent out.

When I left the colony in 1804 there was not one artilleryman in the whole colony; and when the guns were to be loaded, even for a salute upon a holiday, the master shipwright was the person selected for that service.

Artillery.

I have known the brass field pieces in the front of the Guardhouse refuse frequently to explode, notwithstanding abundance of fire was applied to the priming; and the guns for the guard, or for alarm, near the entrance to the harbour were nearly buried in the sand.

Brass guns.

A steady man in the character of ordnance storekeeper is absolutely necessary, as are four additional field-pieces, and as many 9-inch brass howitzers with their proper appointments.

An able assistant to the master shipwright is much wanted for the purpose of exploring the extensive forests, and selecting proper timber for constructing frames for ships of the line, and to point out the proper times and seasons for felling it; and occasionally to examine the fine spars and timber said to abound on the island of New Zealand.

Selecting  
native  
timbers.

A schooner of 80 tons, a bold sea-worthy vessel, should be constructed and employed upon the above service, or any other beneficial to the colony.

- 1809  
30 Dec.  
—  
A river  
barge.
- A sailing river barge is absolutely necessary—such a one as was proposed by me, and approved of by Governor Hunter in 1802,\*—for the particular service of Port Jackson. A plan and draft of this vessel, as also of a schooner of 60 tons, was carried out in H.M. ship *Calcutta*, together with every article of furniture, such as masts, sails, yards, anchors, cables, and rigging complete; but neither of them were built.
- A pilot boat.
- A sailing pilot boat of about 30 tons is absolutely necessary, not only for the service of pilotage, but to keep up a frequent communication between the seat of Government and the very distant sub-governments of Van Dieman's Land, and Norfolk Island.
- A Collector of Customs.
- A collector, or superior officer, of the Customs, together with an able, active assistant, should be appointed, and a proper boat furnished for that very necessary service.
- Examining vessels.
- This latter appointment is only necessary in the event of a want of vessels of war on the coast, or one (a gun brig) stationed in North Harbour, who would bring to and examine every vessel that came in, and, by furnishing a sufficient guard on board, would entirely do away the pernicious and dishonorable trade of smuggling that has hitherto completely distracted—I may say almost destroyed—the colony.
- This essential duty being intrusted to officers, not only respectable for the rank they hold, but for their honor and probity, would most effectually destroy every attempt at defrauding the revenue, and prevent the practice of engrossing and forestalling the markets.
- Port dues.
- In every department the port dues and public duties would be fairly collected and accounted for so far as related to the port.
- This being once established, good order and subordination would soon follow; the Government would be properly respected and the colony restored to plenty, peace, and harmony.
- Necessity for permanent naval force.
- A naval force is absolutely necessary on the coast of New South Wales; without it, experience has sufficiently explained to us that not only the Government has fallen into disrepute, but the nation has been insulted and His Majesty's subjects actually taken out of their vessels and confined in irons, and this within our own ports, and by a power almost without a navy. In the year 1803 an American brig was sealing in Basses Straights and fell in with a small schooner belonging to Port Jackson, also employed in catching seals. The American, who was much superior in point of size, strength, and number, not only insulted and abused the master and crew of the British vessel, but ordered him away, and on refusal actually took them on board and confined them for some time in irons, and after completing his cargo drove all the seals from the shores and set fire to the woods to prevent their returning. Surely such disgrace and insult should not be repeated.
- An instance.

\* \* \* \* \*

\* Evidently an error for 1800.

Independant of the necessity of a naval force in conjunction with the military to aid, assist, and protect the Governor and the civil power as established by law (for it appears the military alone has not done it) from the violence of banditti, it is no less necessary to protect the colony from an attack by the French from the Mauritius, which would have taken place long ago if the enemy had possessed a naval force equal to the enterprize. There was no doubt but what it was their intention, when Monsieur Baudin took correct plans of Port Jackson, &c., purchased a vessel there for the purpose of exploring the passage to the Mauritius through Bass Straights, where he actually passed to the westward with his division and arrived at the Isle de France; and had he lived another year I think it very possible the Commodore would most likely have visited the colony for the purpose of annihilating the settlement.

1809

30 Dec.

The French  
bogey.

### *New Zealand.*

Query: Is New Zealand attached to or considered as part of the Government of New S. Wales? A question of territory.

2dly. Would not the Northern Island of New Zealand be a much preferable situation for a colony than any part of the coast of New South Wales that we are yet acquainted with?

The northern isle extends from 34° 20' S. to 41° 36' S., a distance north and south of 436 miles, affording a great diversity of climate, and equal to produce grain of every description. Latitude.

The southern isle is separated from the northern by Cooke's Straights, and extends itself from Cape Farewell, in 40° 30' S., to Cape , in 47° 20' S., a distance of 390 miles, in a climate the most temperate in the world when cleared of its immense forests of valuable timber.

On the coasts of these islands the whale and seal fishery may be carried on to any extent, and the preparation for boiling and curing all done on the shore. By this means the whalers would have no occasion to touch at Port Jackson for supplies and refreshments, nor would the convicts have such opportunities of making their escape. The fisheries.

The natives of New Zealand are a very different race of men to those of New South Wales; they are of a different colour, athletic, muscular men, arising no doubt from the superior nature of the soil and its productions. The sea also furnishes great quantities of superior fish of every description, and the forest timber is reported excellent. The spars for masts and yards are cut down upon these islands and carried to China where they fetch a very high price. Hemp and flax can be produced in any quantity, and the southern parts of the South Island the wool might be improved equal to the best in Europe. The Maoris.

1810

## PROCLAMATION.

1 Jan.

By His Excellency Lachlan Macquarie, Esquire, Captain-General and Governor-in-Chief of the territory of New South Wales and its dependencies, &c., &c., &c.

Mutiny of  
the N.S.W.  
Corps.

His Majesty having felt the utmost regret and displeasure on account of the late tumultuous proceedings in this his colony, and the mutinous conduct of certain persons therein towards his late representative, William Bligh, Esquire, then his Captain-General and Commander-in-Chief in the said colony, in order to mark his disapprobation of the said proceedings, has been graciously pleased to appoint me his representative in the said territory of New South Wales and its dependencies, commanding and requiring me, previous to the opening of his Royal commission for that purpose, to reinstate the said William Bligh, Esquire, in the office and situation of Captain-General and Governor-in-Chief of this his colony, in case he should be resident in the same at the time of my arrival. His Majesty, through his gracious anxiety for the welfare and happiness of his loyal subjects of New South Wales, for the complete restoration of quiet and harmony, and to remove every motive for further disturbance, has also been graciously pleased to direct me to signify to the said William Bligh, Esquire, His Majesty's pleasure that he, the said William Bligh, Esquire, should, at the expiration of twenty-four hours after being so reinstated, receive me as his successor in the office of Captain-General and Governor-in-Chief of the territory of New South Wales and its Dependencies, and administer to me the oaths usually administered on such occasion.

Bligh to be  
reinstated.

Macquarie  
to succeed  
him.

Bligh's  
absence.

His Excellency the Governor laments extremely that the absence of the late representative of His Majesty in this colony, and the necessity of his immediately taking upon himself the command of the same, in obedience to His Majesty's commands, has rendered it impossible for him to carry His Majesty's orders into literal execution, as His Excellency was most anxiously desirous to do; but in order to fulfil His Majesty's intentions as completely as present circumstances will permit, His Excellency the Governor has thought proper, by this his proclamation, publicly to make known that nothing but the reasons above-mentioned have prevented him from reinstating William Bligh, Esquire, in the office of Captain-General and Governor-in-Chief of this territory and its dependencies, and from acting in all respects conformably to His Majesty's commands; and he feels it a painful duty to be thus compelled publicly to announce His Majesty's high displeasure and disapprobation of the mutinous and outrageous conduct displayed in the forcible and unwarrantable removal of his late representative, William Bligh, Esquire, and of the tumultuous proceedings connected therewith.

The arrest  
of Bligh.

His Excellency the Governor avails himself of this opportunity of expressing his earnest hope that harmony and hope will now be restored to the colony ; that all party spirit which has unfortunately resulted from the late unhappy disturbances will end, and that the higher classes will set an example of subordination, morality, and decorum ; and that those in an inferior station will endeavour to distinguish themselves only by their loyalty, their sobriety, and their industry, by which means alone the welfare and happiness of the community can be effectually promoted.

1810  
1 Jan.  
The new  
order.

Given under my hand, at Government House, Sydney, this first day of January, 1810.

LACHLAN MACQUARIE,

God save the King !

By command of His Excellency,

JOHN THOMAS CAMPBELL,

Secretary.

#### GOVERNMENT AND GENERAL ORDERS.

Head-quarters, at Sydney, Monday, 1st January, 1810.

His Majesty has been graciously pleased to appoint Colonel Lachlan Macquarie, of the 73rd Regiment, to be his Captain-General and Governor-in-Chief in and over the territory of New South Wales and its Dependencies, and also Commander of the Forces serving in the said territory and its dependencies.

Governor  
Macquarie.

His Majesty has also been graciously pleased to appoint Lieutenant-Colonel Maurice Charles O'Connell, of the 73rd Regiment, to be his Lieutenant-Governor of the territory of New South Wales and its dependencies.

Lieutenant-  
Governor.

His Majesty has likewise been graciously pleased to appoint Ellis Bent, Esq., to be his Deputy Judge-Advocate in the territory of New South Wales. They are therefore to be obeyed as such accordingly, their respective commissions from the King having this day been publicly read to the troops and inhabitants.

Judge-  
Advocate.

All reports and returns of His Majesty's troops now serving in the colony of New South Wales, and at the subordinate settlements, are in future to be made to Colonel Macquarie, the Commander of the Forces, at head-quarters, at Sydney.

His Excellency the Governor and Commander of the Forces has been pleased to make the following staff appointments until His Majesty's pleasure shall be known :—

Captain Henry Colden Antill, of the 73rd Regiment, to be Aide-de-Camp to the Governor.

Captain  
Antill.

Captain Thomas Sadlier Cleaveland, of the 73rd Regiment, to act as Major of Brigade to the troops in the colony of New South Wales, until further orders.

Captain  
Cleaveland.

John Thomas Campbell, Esq., to be Secretary to the Governor.

J. T. Camp  
bell.

- 1810  
1 Jan. The above three staff appointments are to have effect from the 28th of last month, the date of His Excellency the Governor's arrival from England at Port Jackson.
- Lieutenant-Governor O'Connell. Lieutenant-Governor O'Connell is to receive the same compliments as are due to a Brigadier-General from all guards in this territory.
- Colonel Paterson. Colonel Paterson, the late Lieutenant-Governor of this territory, is to have the same compliments as a Brigadier-General is entitled to from all guards in this territory, as long as he may remain in it.
- Captain Pasco. Captain John Pasco, commander of His Majesty's ship *Hindustan*, as senior naval officer on this station, is to have the same compliments paid to him by all guards and sentinels as are due to a post captain in the Royal Navy.
- 102nd Regiment. All other officers belonging to the Royal Navy are to be paid the proper compliments due to their respective ranks when on shore. The 102nd (or New South Wales) Regiment is to be held in readiness to embark for England on the shortest notice. An opportunity of sending them Home will certainly occur in the course of a very few weeks.
- Lieut.-Col. Foveaux. Lieutenant-Colonel Foveaux is appointed to command the troops at head-quarters, at Sydney, and to give such orders as he may judge necessary and expedient for conducting the several garrison duties and details. Lieutenant-Colonel Foveaux is to be received by all guards and sentinels in this settlement with the same compliments as are due to a colonel in the Army.
- The 102nd Regiment to have an extra allowance of liquor issued to them from the King's store in honor of the ceremony that took place this day.

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GOVERNMENT AND GENERAL ORDER.

Government House, Hobart Town, 1st January, 1810.

Bligh ostracised. It being indispensibly necessary that all communication be prohibited from this settlement with His Majesty's ship *Porpoise* during her stay in this port, all officers, civil and military, and all other persons whomsoever, are hereby ordered and directed upon no account to have or hold any intercourse with His Majesty's said ship *Porpoise*, upon pain of answering for the same at their peril.

DAVID COLLINS,

Lieut.-Governor.

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GOVERNMENT AND GENERAL ORDER.

Head-quarters, at Sydney, Tuesday, 2nd January, 1810.

2 Jan.  
Official records.

COLONEL PATERSON, the late Lieutenant-Governor of this colony, will be pleased to give the necessary directions for all the public records, official books, and papers belonging to Government to be sent to the Government House to-morrow morning at 10 o'clock, accompanied with an inventory, or list, of them.

The late Lieutenant-Governor will also be so good as to send to His Excellency the Governor, at the same hour to-morrow, a return of the appointments at present under this Government, inclusive of those at the several dependencies, specifying their several designations, the amount of their established salaries, and by whom they were appointed.

1810

2 Jan.

Colonial appointments.

Lieutenant-Colonel O'Connell will regulate the duties of the camp formed yesterday for the 73rd Regiment at Grose's Farm, and establish such guards and piquets as he may deem necessary in the vicinity of it.

Camp duties.

The detachment of the 102nd Regiment now stationed at Parramatta, to be relieved on Saturday, the 6th instant, by a company from the 73rd Regiment. Lieutenant-Colonel O'Connell will detach any company he thinks proper for this duty, commanded by a captain.

Military duties.

The orderly hour in future at head-quarters will be 12 o'clock at noon, at which hour orderly serjeants must be sent by the 73rd and 102nd Regiments to receive them from the Acting Major of Brigade.

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GOVERNMENT AND GENERAL ORDER.

Head-quarters at Sydney,

Thursday, 4th January, 1810.

4 Jan.

THE Governor requests Lieutenant-Colonel Foveaux will have the goodness to continue to superintend and carry on the public works and buildings of every description now erecting at Sydney, as he has done heretofore; and all artificers, labourers, and other people employed in carrying on such works are directed to obey and comply with such orders and directions as Lieutenant-Colonel Foveaux may find it necessary to issue to them.

Lieut.-Col. Foveaux.

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PROCLAMATION.

BY His Excellency Lachlan Macquarie, Esquire, Captain-General and Governor-in-Chief of the territory of New South Wales and its dependencies, &c., &c.

WHEREAS it has pleased His Majesty to express his high displeasure at the arrest and removal of William Bligh, Esquire, his late representative in this territory and its dependencies, from the exercise of the powers and authorities granted him in that behalf, and also to consider all appointments to situations and offices of public trust made by such persons as have assumed to themselves the executive authority since such arrest and removal, as illegal and invalid; and to express his gracious will and pleasure that all persons who have since that time been appointed to such offices of public trust, by virtue of such illegal authority, should be

The arrest of Governor Bligh.

Public offices.

1810

4 Jan.

Illegal  
grants,

forthwith displaced ; and that those persons who held such offices at the time of the said arrest and removal should be restored to the exercise of the duties of the same.

And whereas it has further pleased His Majesty to consider all grants of land and of stock, and all leases of houses made subsequent to the time of such arrest and removal (especially such as have been made to the officers of the 102nd Regiment) as invalid ; and to command that the same should immediately be declared null and void, subject, however, to such exceptions and restrictions as will be hereinafter mentioned.

and trials.

And whereas it has further pleased His Majesty to consider all trials and investigations had since such arrest and removal as invalid in law ; and to command His Excellency the Governor to declare, in the most public manner, all such appointments, grants, leases, trials, and investigations to be null and void.

Official  
papers to be  
handed in.

His Excellency, in obedience to such, His Majesty's commands, hereby publicly and solemnly makes known and signifies, and commands all persons to take notice, that those persons who have been appointed to any situations and offices of public trust whatever, since the arrest and removal of William Bligh, Esquire, late representative of His Majesty in the territory of New South Wales and the dependencies thereof, will prepare to deliver up the charge of them, and all papers, records, and documents belonging to them, and all money, stores, provisions, bills, and effects, the property of the public, in their hands, by twelve of the clock at noon on Monday, the eighth day of this present January, to those persons who respectively exercised the duties of the same at the time of the arrest and removal of William Bligh, Esquire, His Majesty's late representative in the territory of New South Wales and its dependencies, who will thenceforth be reinstated in the full enjoyment of the said offices. And it is hereby further publicly declared, that all those who have filled any offices of public trust since the said arrest and removal, and by virtue of the same have had the receipt of any monies, bills, effects, stores, or provisions, of or belonging to the public, or have been in the possession of any public property whatsoever, will be called upon by His Excellency the Governor to render and give in the office of the Secretary of His Excellency, a full, true, just, and accurate account of all such receipts, and of the disposal and disbursements of the same by the first day of February next following the date of this proclamation, by twelve o'clock noon of the same day.

Accounts to  
be rendered.Grants and  
leases  
revoked.

His Excellency the Governor, in obedience to His Majesty's commands, further publicly gives notice, that all grants of land, of stock, and all grants of leases which have been given, granted, or made since the above-mentioned arrest, or removal, are hereby declared to be, and are, null, void, and of no effect ; and His Excellency gives notice that the same are revoked ; and that all

persons who are in possession of any lands, tenements, stock, or leases, under such gifts or grants as aforesaid, will be called upon at their peril to give up and surrender all such lands, tenements, stock, leases, &c., to such person or persons as may be authorised by His Excellency to receive them, by the first day of February next following the day of the date hereof. His Excellency, however, has much pleasure in signifying His Majesty's Royal will and pleasure that all such grants of lands, tenements, stock, and leases as are in other respects legal, and are found to be made from motives of impartiality and justice, and are conformable to the powers granted by His Majesty's patent to the Governors of this territory, may and will, upon proper application being made for that purpose, be renewed in the name of His Excellency the Governor, provided His Excellency shall see no objection thereto. At the same time, it is His Excellency's duty to signify, and he hereby publicly gives notice, that it is His Majesty's especial command that His Excellency should not renew or confirm, on any account whatsoever, any gifts or grants of land, stock, or leases whatsoever, made, given, or granted to any officer or officers of the 102nd (or New South Wales) Regiment subsequent to the day of arrest and removal of the late Governor.

1810

4 Jan.

Land and stock to be surrendered.

Revocation of grants to soldiers.

In further obedience to His Majesty's commands, His Excellency also declares all trials and investigations had since the arrest and removal of William Bligh, Esquire, to have been had before an incompetent jurisdiction, and to be illegal; and he hereby publicly declares them to be, and the same are, of none effect whatsoever in law or equity.

Illegal trials.

Given under my hand, at Government House, Sydney, this 4th day of January, 1810.

LACHLAN MACQUARIE.

God save the King!

By command of His Excellency,

JOHN THOMAS CAMPBELL,  
Secretary.

PROCLAMATION.

By His Excellency Lachlan Macquarie, Esquire, Captain-General and Governor-in-Chief of His Majesty's territory of New South Wales and its dependencies, &c., &c., &c.

His Excellency the Governor, anxious to promote the tranquillity of the colony, to prevent improper and malicious litigation, and particularly to protect those persons who, since the arrest and removal of William Bligh, Esquire, late Captain-General and Governor-in-Chief of the territory of New South Wales and its dependencies, have acted as magistrates, constables, or jailor in any or every part of this colony, under appointments and commissions

Officials indemnified.

1810

4 Jan.

made and granted by persons not having lawful right or authority to make or grant the same, from any vexatious or frivolous prosecutions, or actions at law, publicly commands all persons to take notice that in pursuance of the authorities in this behalf vested in him by His Most Gracious Majesty, and for the purposes above-mentioned, hereby grants to such magistrates, jailors, and constables full and free indemnity from all prosecutions and suits at law whatsoever that might be brought against them, for all acts, orders, warrants, commitments, fines, punishments, and proceedings whatever, that have been performed, ordered, executed, or imposed by them since the arrest and removal aforesaid, the same not being otherwise illegal or informal than in having been ordered and imposed by virtue of powers or commissions granted by persons not authorised by law to grant the same.

Actions at  
law not to  
lie.

And His Excellency hereby prohibits all His Majesty's subjects whatever of this colony from commencing any prosecution or suit at law against such magistrates, jailors, and constables, for any such acts done by them in virtue of such authority as aforesaid, the same not being otherwise illegal and informal than as aforesaid. And in case any such prosecutions or suits at law as are hereinbefore prohibited shall be commenced or instituted in any of the courts of law established in this colony against such magistrates, jailors, and constables as aforesaid, notwithstanding the injunctions to the contrary contained in this proclamation, His Excellency hereby commands the Deputy Judge-Advocate of the colony to enter, or cause to be entered, a verdict of not guilty, or a verdict for the defendant or defendants (as the case may be), in such prosecutions or suits at law, with full costs of suit, to be recovered by the usual course and practice of the law established in this colony.

Exceptions.

His Excellency further makes known that nothing herein contained shall be construed to extend, or shall extend, to the protecting from enquiry, or screening from punishment, such magistrates, jailors, and constables as have, or are alledged to have, been guilty of any wanton, malicious, or gross acts of oppression or partiality, or violations of the law whatever; or of any acts or proceedings in themselves illegal, and not warranted by the law of England or the regulations of this colony; but the same magistrates, jailors, and constables shall be, and hereby are declared to be deemed liable for all such acts of injustice and oppression, to answer to the parties aggrieved by the same, in any prosecutions or suits at law commenced or to be commenced against them in that behalf, anything herein contained to the contrary notwithstanding.

His Excellency the Governor feels himself called upon at the present moment, to endeavour to impress upon the minds of all,

and more particularly of those who may have sustained any loss or inconvenience since the said arrest and removal of William Bligh, Esquire, the necessity of forbearance, and the importance of that union, tranquillity, and harmony in the present crisis so essential to the welfare of the colony, and which the Governor has so much at heart; and to represent to them that nothing can so effectually prevent that harmony as the constant recourse to a vexatious and obstinate system of litigation, in the hope of effacing or redressing those evils and inconveniences which now can only be lamented.

1810

4 Jan.

Restoring harmony.

Should any person; however, defeat His Excellency's hopes in this respect, by promoting, encouraging, or adopting any frivolous or vexatious prosecutions, or suits at law, they will incur thereby his utmost displeasure; and more especially should any person, of what rank soever, be so daring as to attempt to redress by force such injuries as they may fancy they have sustained, or in any manner to take the execution of the law into their own hands (as has already been intimated to His Excellency, but which he is very reluctant to believe), such persons shall, upon conviction, be punished with the utmost rigour and severity of the law.

Vexatious prosecutions.

Given under my hand, at Government House, Sydney, this  
4th day of January, 1810. L. MACQUARIE.

God save the King!

By command of His Excellency,

JOHN THOMAS CAMPBELL,  
Secretary.

## MASSACRE OF CREW OF THE BOYD.\*

6 Jan.

THESE are to certify that during our stay in this harbour we had frequent reports of a ship being taken by the natives in the neighbouring harbour of Wangarawe,† and that the ship's crew were killed and eaten.

Maoris seize a vessel.

In order to ascertain the truth of this report, as well as to rescue a few people who were said to be spared in the general massacre, Mr. Berry, accompanied by Mr. Russell and Matingaro‡ (a principal chief of the Bay of Islands, who volunteered his service), set out for Wangarawe with three armed boats on Sunday the 31st of December, 1809, and upon their arrival found the miserable remains of the ship Boyd, Captain John Thompson, which the natives (after stripping of everything of value) had burnt down to the water's edge.

Rescuing the survivors.

\* See also Captain Chace's statement, enclosed in Macquarie's despatch of 12th March, 1810, post, p. 314; and the whalers' letter to Macquarie of 10th April, 1810, post, p. 329.

† Wangarao.

‡ Captain Berry, in an account of the circumstances connected with the rescue of the survivors, gives the name of this chief as Matenanga. — *Constable's Miscellany*, vol. iv, p. 345.

1810

6 Jan.

A woman  
and three  
children  
rescued.

From the handsome conduct of Matingaro they were able to rescue a boy, woman, and two children, the only survivors of the shocking event, which, according to the most satisfactory information, was perpetrated entirely under the direction of that old rascal Tippahee,\* who has been so much and undeservedly caressed at Port Jackson.

Particulars  
of the  
seizure.

This unfortunate vessel (intending to load with spars) was taken three days after her arrival. The natives informed the master on the second day they would shew the spars. Next day, in the morning, Tippahee arrived from Tippanah and went on board. He staid only a few minutes, and then went into his canoe, but remained alongside the vessel, which was surrounded with a number of canoes which appeared collected for the purpose of trading; and a considerable number of the natives, gradually intruding into the ship, sat down upon the deck. After breakfast the master left the ship with two boats to look for spars. Tippahee, waiting a convenient time, now gave the signal for massacre. In an instant the savages, who appear'd sitting peaceably on the deck, rushed on the unarmed crew, who were dispersed about the ship at their various employments. The greater part were massacred in a moment, and were no sooner knocked down than cut to pieces while still alive. Five or six of the hands escaped up the rigging. Tippahee now having possession of the ship, hailed them with a speaking trumpet, and ordered them to unbend the sails and cut away the rigging, and they should not be hurt. They complied with his commands and came down. He then took them ashore in a canoe and immediately killed them.† The master went on shore without arms, and was of course easily dispatched. The names of the survivors are Mrs. Morley and child, Betsey Broughton,‡ and Thomas Davis, a boy.

Tippahee the  
ringleader.

Massacre of  
the crew.

Friendly  
natives.

The natives of the Spar district in this harbour have behaved well, even beyond expectation, and seem much concerned on account of this unfortunate event; and, dreading the displeasure of King George, have requested certificates of their good conduct in order to exempt them from his vengeance; but let no man (after this) trust a New Zealander.

\* Although the whalers who visited Wangaroo Harbour, immediately after the massacre, were convinced that Tippahee took an active, if not a leading, part in the affair, the Rev. Samuel Marsden, who visited the locality in 1814-5, satisfied himself that not only was Tippahee not in any way concerned in the attack, but that he had endeavoured to save a number of the sailors who had taken refuge in the rigging. The reader who wishes to pursue the question can collect the very contradictory evidence from the accounts of the missionaries in Nicholas's *Narrative of a Voyage to New Zealand*, vol. 1, pp. 143 and 297, and from Alexander Berry's account, furnished to *Constable's Miscellany*, vol. iv, pp. 330 *et seq.*

† The Reverend Samuel Marsden places an entirely different aspect upon the event. According to him, Tippahee arrived on the scene only in time to rescue the men who had escaped up the rigging and land them on an adjacent point. They were then pursued and overtaken by the infuriated Maoris from whom Tippahee was attempting to shelter them.

‡ This was an infant daughter of Commissary Broughton.

## SEIZURE OF THE BOYD.

261

We further certify that we gave Tarra, the bearer of this, a small flat-bottomed boat as a reward for his good conduct and the assistance of getting us a cargo of spars. 1810  
6 Jan.

Given on board the ship City of Edinburgh, Captain Simeon Pattison, Bay of Islands, January 6th, 1810.

SIMEON PATTISON, Master.

ALEXR. BERRY,\* Supercargo.

JAMES RUSSEL, Mate.

Tarra behaved very well, and all his tribe; for that reason I gave him several gallons of oil. I came in January the 17th, and sailed the 20th, 1810.

WILLIAM SWAIN, Ship Cumberland.

[Enclosure.]

### CERTIFICATE OF SHIPPING AGENTS.

SHIPPED in good order and well conditioned by Mr. Simeon Lord, of Sydney, merchant, in and upon the good ship called the Boyd, whereof is master for this present voyage Mr. John Thompson, and now riding at anchor in Port Jackson, and bound for London, to say two thousand two hundred and thirty fine salted fur skins, and are to be delivered in the like good order and well conditioned at the aforesaid Port of London (the act of God, the King's enemies, and all other dangers and accidents of the seas and navigation of whatever nature or kind soever excepted), unto Messrs. John and William Jacobs, merchants, or to their assigns, he or they paying freight for the said goods at and after the rate of twelve pounds sterling per ton, with primage and average accustomed. Cargo of the Boyd.

In witness whereof the master or purser of the said ship hath affirmed to three bills of lading, all of this tenor and date, the one of which three bills being accomplished, the other two to stand void.

Sydney, New South Wales, this 11th October, 1809.

DR. BROWN TO SIR JOSEPH BANKS.

Sir Joseph, Gerard-street, Soho, 6th January, 1810. 6 Jan.

I have the honour, agreeably to your instructions of yesterday, to lay before you an abstract of the progress made in the arrangement and description of the collections of natural history form'd in the voyage of His Majesty's ship Investigator, and subsequently during my stay in the settlements of New South Wales and Van Dieman's Land. Naturalists' collections.

\* Until comparatively recent years, this Mr. Berry was a prominent figure amongst public men in the colony. In the year 1820 he explored part of the Shoalhaven country, receiving a large free grant of land in that district. Mr. Berry was appointed a Member of the Legislative Council in 1856. He died in 1873.

1810

6 Jan.

This arrangement has hitherto been confined to plants, these forming by far the most extensive and important part of the collection; and being also that part which it was supposed I was most likely to execute to the satisfaction of the public.

Botanical specimens.

The number of species of plants is not yet absolutely ascertain'd, but may be reckon'd 3,400, of which about 2,800 have been arrang'd, and specimens selected for the public collection; of these nearly 2,200 are describ'd; of this latter number, upwards of 1,700 are new species, and comprehend 140 new genera. For details respecting the manner in which the business of arrangement and description has been conducted, I beg leave to refer to two reports which I formerly had the honour of submitting to you, the first dated June 18th, 1807,\* the second June 2nd, 1809.†

Brown's *Prodromus*.

In the latter it was stated that some progress had been made in preparing a *Prodromus*, in which, with a view to its speedy publication, it was then intended to include only new genera, and such whose characters seem'd to require material alteration, together with the characters of those species which had been at that time ascertain'd, and of such as it might be found practicable to determine in the course of the undertaking. It has since, however, been consider'd more advisable to include the generic and specific characters of all the plants known to be natives of New Holland. In conformity to this plan, nearly one half of the work is prepar'd for the press, and of the part prepar'd rather more than half is now printed.

Bauer's sketches.

Mr. Bauer, who has been employ'd solely on his sketches of plants, has made 145 finish'd drawings.

Of the arrang'd part of the sketches there remain selected by you for finishing 26. And of the unarrang'd part, on similar grounds of selection, about 34.

The total number of Mr. Bauer's sketches of New Holland plants is 1,542, and of animals of the same country, 263.

Of Norfolk Island there are 80 sketches of plants, and 40 of animals.

Of Timor plants there are 60.

Of the Cape of Good Hope, 79.

I have, &c.,

ROBERT BROWN.

ALEXANDER BERRY TO GOVERNOR MACQUARIE.

Ship, City of Edinburgh,

Bay of Islands, New Zealand,

6th January, 1810.

Sir,

Seizure of the Boyd.

I beg leave to inform your Excellency that, while filling up with spars in this harbour, we received intelligence that a ship had been taken and destroyed by Tippahee, in the harbour of Wangarrooa.

\* Vol. vi, p. 288.

† Ante, p. 160.

I, therefore, went round in three armed boats in order to ascertain the truth of the report, when I found the remains of H.M. hired transport Boyd, Captain Thompson, lying in shoal water, and burnt down to the copper sheathing.

1810

6 Jan.

Discovery of the hull.

The survivors.

I was able to rescue the only four survivors from the hands of the natives, consisting of a boy,\* a woman, and two children, the rest of the crew and passengers having been killed and eat.

I brought away the two principal chiefs, prisoners, and through their means have obtained a box containing Government dispatches, which I will forward.

Depatches.

Tippahee has betaken to the bush and eluded my researches. As there is no opportunity of sending the chiefs to Port Jackson it will be necessary to liberate them.

Tippahee.

I have, &amp;c.,

ALEX<sup>R</sup> BERRY.

## GOVERNOR MACQUARIE TO EX-GOVERNOR BLIGH.

Head-quarters, Sydney,

Saturday, 6th January, 1810.

Sir,

Understanding that you are still at the Derwent waiting for advices from England, I lose no time in doing myself the honor to inform you that I arrived at Port Jackson on Thursday morning, the 28th of last month, on board His Majesty's store-ship Dromedary, commanded by Mr. Samuel P. Pritchard, in company with His Majesty's ship Hindostan, commanded by Captain John Pasco, having on board the 73rd Regiment, consisting of about 700 men.

Macquarie informs Bligh of his arrival.

On the pilot coming aboard off the South Head, I made immediate enquiry where you were, and was informed that you were supposed to be still at the Derwent on board the Porpoise, but that there had been no late account received from you.

Macquarie's inquiries on arrival.

The wind being contrary, the two ships were obliged to anchor within the Heads at the entrance of Port Jackson, where they remained till Saturday afternoon, when a fair breeze of wind springing up, they weighed and ran up to Sydney Cove, where they anchored about 6 o'clock in the evening of that day.

Detained at the Heads.

I was visited soon after the ships had come to anchor in Port Jackson by Lt.-Col'l Foveaux, of the 102nd Regiment, and by Mr. Finucane, Secretary to Lt.-Governor Paterson, who was prevented waiting on me by indisposition.

Foveaux interviews Macquarie.

On the day following (Friday, the 29th) Mr. Commissary Palmer came on board the Dromedary to wait on me, and delivered me a letter you had left with him, dated the 12th March last, and addressed "To the Commander-in-Chief of the Succours from England to Governor Bligh," enclosing your proclamation of the same date.

Bligh's adherents.

\* Note in original.—"Thos. Davis, Ann Morley and child, Betsy Broughton."

1810

6 Jan.

Macquarie  
takes  
charge.

Under the existing circumstances of the deranged affairs and critical state of the colony, I felt it to be my indispensable duty to take the immediate charge of it, agreeably to His Majesty's commands, as expressed in his Royal Commission under the Great Seal appointing me Captain-General and Governor-in-Chief of this territory and its dependencies, which I accordingly did with all due form and solemnity on Monday, the 1st instant.

Bligh's  
intended  
reinstatement.

At the same time I sincerely lament that your not being here prevented my having it in my power to fulfil literally that part of my instructions from His Majesty's Ministers of reinstating you in your former authority for 24 hours to mark His Majesty's high displeasure at the unwarrantable and mutinous proceedings taken against you in this country as his representative; but I am persuaded you will readily admit that I could not, consistently with my public duty and the welfare and tranquillity of this territory, delay a moment longer taking charge of it and superseding the authority of those persons who had usurped the government of it for so long a time.

Macquarie's  
proclamations.

For your further information I enclose you two proclamations\* I have issued since my arrival here, in obedience to the King's commands and my instructions from His Majesty's Ministers.

Despatches  
for Bligh.

I have charge of some dispatches for you from His Majesty's Ministers, and which I am authorized to open in the event of my not finding you here as was expected I should, and which I accordingly opened and perused on the first day of my arrival at Port Jackson. I do not now send them for fear they should be lost or mislaid or meet with any accident, as I conceive them to be of very great importance; and, therefore, I trust you will agree with me that it is the safest and most prudent course to keep them here in my possession till your arrival at Sydney, for I conclude you will come up here immediately as you hear of my arrival.

A vessel sent  
to Hobart.

I have been prevented writing you sooner from not having any vessel here that I could send down to the Derwent with this dispatch until the *Estramina*, Colonial schooner, could be got ready for sea, which she can only be to-morrow morning. I conclude you will come up in the *Porpoise*, and therefore request you will be so good as to dispatch the *Estramina* as soon as possible, as I have ordered the master of her to touch at Port Dalrymple with dispatches for that station before she returns hither, and which I am anxious she should do with as little delay as possible, as she will be immediately required for other important service.

Returning  
transports.

The *Hindustan* and *Dromedary* are undergoing several necessary repairs previous to their return to England with the 102nd Regiment, which will take place as soon as I can get the detachments at the distant dependencies, which I trust I shall be able to get done in about six weeks at the furthest.

\* See these proclamations, dated 1st and 4th January, 1810, ante pp. 252 and 255.

I hope soon to have the honor of seeing you here, where you may rest assured I shall be most happy to pay you every respect and attention in my power to bestow while you find it necessary to remain in the settlement

1810  
6 Jan.

I have, &c.,

L. MACQUARIE.

CHARLES THROSBY TO GOVERNOR MACQUARIE.  
(Colonial Secretary's Papers.)

Parramatta, 6th January, 1810.

THE memorial of Mr. Chas. Throsby, late an assistant surgeon and magistrate, retired on account of ill-health—

Respectfully sheweth :—

That memorialist was appointed to do the duty of an assistant surgeon by His Excellency Governor King in June, 1802, and shortly afterwards His Excellency was pleased to appoint him a magistrate for the territory, which duty memorialist performed at the different settlements in the county of Cumberland untill June, 1804, at which time memorialist was ordered to fill those situations at the settlement then formed at Newcastle, which he performed untill the following March, 1805, at which time, on the resignation of Lt. Menzies, His Excellency was pleased to entrust the sole charge and command of the settlement to memorialist, which very fatiguing duties for upward of three years and a half memorialist performed, without any kind of assistance whatever, save that of overseers selected from amongst the bad characters of convicts which were sent there, untill the arrival of Colonel Foveaux about eighteen months since, who was then pleased to remove memorialist from the said situation, for the cause of which removal memorialist begs leave to refer your Excellency to that officer. That after memorialist's return to Sydney he continued to perform the duties of an assistant surgeon and magistrate untill September last, when, from being afflicted with the most severe illness, the foundation of which was laid in performing the harrassing and fatiguing duties entrusted to his charge at Newcastle, and with which illness memorialist still continues to be so afflicted as to be unable to leave his house. That memorialist was at the above period totally unable to attend to his duties, and was in consequence obliged to resign his situations ; when, in consideration of memorialist's servitude upwards of seven years as a magistrate and assistant surgeon, and ill state of health, Col. Paterson was pleased to allow memorialist to retire from the service with the indulgence of a free settler, which circumstance memorialist prays your Excellency will be pleased to take into consideration and permit memorialist to continue in his retirement at least untill his health shall be re-established, which, should it please God to grant, memorialist would then with pleasure again exert himself for the public good in any situation your Excellency may be pleased to require him to fill.

A surgeon and magistrate.

Commandant at Newcastle.

Return to Sydney.

Retires from the service.

1810

6 Jan.

Stock left at  
Newcastle.

Memorialist further begs leave respectfully to state that on his quitting Newcastle he left a quantity of stock—upwards of four hundred head of sheep and about thirty head of horned cattle—which memorialist imported into that settlement at his own private expense, Government having no breeding stock of any kind there, which stock Colonel Paterson was pleased to order to be received at that settlement as the property of Government, and granted memorialist an equivalent from the Government herds at this place. Memorialist therefore prays your Excellency to be pleased to take into consideration the expence, trouble, and loss memorialist must necessarily have been at in importing stock into a distant settlement, and be pleased to allow the exchange as directed by Colonel Patterson to be confirmed.

Congratula-  
tions to  
Macquarie.

Memorialist begs leave respectfully to request your Excellency to accept his congratulations on your arrival in this colony in the exalted situation it has pleased His Majesty to appoint your Excellency to fill, and may happiness and prosperity crown your Excellency's exertions is the sincere prayer of your Excellency's respectfull memorialist.\*

CHAS. THROSBY.

## GOVERNMENT AND GENERAL ORDER.

7 Jan.

Officers  
reinstated.

Head-quarters, at Sydney, Sunday, 7th January, 1810.

The following gentlemen, who formerly held civil offices under this Government, previous to the arrest of the late Governor, are to resume their respective offices to-morrow at twelve o'clock at noon and take charge of them agreeably to the tenor of the proclamation published under date the 4th of the present month, namely:—

John Palmer, Esq., Commissary.

Robert Campbell, Esq., Naval Officer.

William Gore, Esq., Provost-Marshal.

Reverend H. Fulton, Assistant Chaplain.

The gentlemen now in charge of those offices will be ready to deliver over their office books and papers, along with such property belonging to the Crown as may still remain unexpended in their custody in their respective departments.

Inspection  
of stores.

A committee of survey, consisting of one captain of the 73rd Regiment as president, one subaltern officer, and the quartermaster of that corps, and one subaltern officer and the quartermaster of the 102nd Regiment, will assemble at the King's store at Sydney, to-morrow, at twelve o'clock, in order to inspect and take a regular account of all provision and stores belonging to the Crown, to be delivered over by the present Acting Commissary to Mr. Palmer.

The President of this Committee will call on the Governor at eleven o'clock to-morrow for further instructions.

\* *Endorsed, in Macquarie's handwriting: "Exchange of cattle confirmed.—L. M."*

GOVERNMENT AND GENERAL ORDER.

1810

Head-quarters, Government House,

Sydney, 8th January, 1810.

8 Jan.

His Excellency the Governor has been pleased to confirm Mr. John Jamieson in the office of Principal Superintendant of Government Stock, and he is to be obeyed as such accordingly.

The Governor deeming it essentially necessary, for the sake of regularity, and for the more speedy dispatch of public business, to fix certain days and hours for that purpose, the following Regulations are now established and published in General Orders for the information and guidance of the civil and military departments and of the inhabitants in general of this colony :—

At ten o'clock in the morning of every day in the week, Sunday excepted, the Governor will receive the reports of those gentlemen at the head of the civil departments and transact business with them.

At eleven o'clock he will receive the reports of commandants of corps, and all other officers connected with the military department and transact business with them.

From twelve o'clock at noon till two o'clock in the afternoon of every Tuesday the Governor will remain at home to see and receive such gentlemen as may have occasion to call upon him on business, or who may wish to pay him visits of ceremony.

All applications for either grants of land, or of stock, or leases, must be made in writing, in the form of a petition or memorial, addressed to the Governor, and sent in weekly at twelve o'clock at noon every Monday. All other applications of any importance, on whatsoever subject, are also to be made in writing, addressed to the Governor or to his Secretary, and sent in on the same day and at the same hour as above mentioned, unless such application should be of a pressing nature, or on some particular emergency that requires immediate dispatch ; and on all such occasions the Governor will be found ready at all hours and on all days to receive them, and give immediate answers on the points referred to for his consideration and decision ; but should any applications be made out of the common course herein directed prove frivolous, or of an unimportant nature, no notice whatever will be taken of them.

GOVERNMENT AND GENERAL ORDER.

Commissary's Office, 10th January, 1810.

10 Jan.

His Excellency the Governor, having been pleased to take into his consideration the great loss the country has sustained by the late flood, has commanded me to make known to the settlers and others that have grain to spare for the supply of those victualled from the public stores, that twelve shillings per bushel for wheat

- 1810 and nine shillings per bushel for barley will be given for all such quantities as may be delivered into the Hawkesbury, Parramatta, and Sydney stores.
- 10 Jan.
- Seed-wheat. It is likewise expected that such persons as have been indulged with seed-wheat, &c., from the Government will immediately set the example by repaying what they are so indebted, and also to deliver into the stores such overplus as they may have, reserving only a sufficiency for their own consumption and to seed their ground this year.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House,

Sydney, 10th January, 1810.

- Magistrates. His Excellency the Governor has been pleased to nominate and appoint John Palmer, Robert Campbell, and William Broughton, Esquires, to be justices of the peace and magistrates for the town of Sydney and the county of Cumberland. They are accordingly to be respected and obeyed as such.

Civil  
appoint-  
ments.

Rob. Campbell and John Palmer, Esquires, are to resume their former situations as members of the Orphan School and Gaol Fund Committee. Mr. James Meehan is to continue to act as head surveyor of this colony until further orders, and Mr. George William Evans is appointed to act as assistant surveyor till further orders.

John O'Herne is to continue to act as superintendant of works in the Engineer Department in the same manner and on the same allowance as formerly.

Isaac Nicholls is also to continue to act as head superintendant of public works till further orders.

John Redman is confirmed as head constable at Sydney.

Daniel Cubitt is confirmed as gaoler and constable at Sydney.

Francis Oakes is reinstated as superintendant and head constable at Parramatta.

## COLONEL FOVEAUX TO GOVERNOR MACQUARIE.

(Colonial Secretary's Papers.)

Sir, Sydney, 10th January, 1810.

The Lady  
Nelson.

I have the honor to inform your Excellency, in reply to your note of this day, that the Lady Nelson brig was sent from England seven or eight years since by the Admiralty, as an armed tender to the ship of war on this station.

On the departure of His Majesty's ship Porpoise, in March last, Commodore Bligh ordered her to be dismantled and laid up in ordinary in the King's yard.

The Commodore gave her in charge to Mr. Thomas Moore, the master builder, with directions to hand her over to Colonel Paterson should he require her for the service of the colony.

Colonel Paterson applied for her immediately after the Porpoise sailed from hence, mann'd her with hired seamen, and she has since continued in the employment of Government for the use of these settlements. 1810  
10 Jan.

I have, &c.,

J. FOVEAUX.

COLONEL FOVEAUX TO GOVERNOR MACQUARIE.

Sir, Sydney, New South Wales, 10th January, 1810.

The purpose for which His Majesty's Ministers thought it expedient to order me to this country—the re-establishment of Norfolk Island—together with the extraordinary circumstances which rendered it impossible for me to carry their intentions into effect, being fully explained in Lord Castlereagh's letter to Governor Bligh of the 31st December, 1807,\* and in my dispatches to His Lordship by the Rose, Albion, and Porpoise,† I beg leave to refer your Excellency to these letters and dispatches, as affording, in my mind, a satisfactory justification of the steps taken by me on my arrival from England, and of my subsequent conduct while under the necessity of administering the Government of this colony. Foveaux's return from England.

Altho' my public correspondence with Ministers, and the letters and papers connected with my Government (the whole of which I have laid before you), will enable your Excellency to form a just estimate of the motives by which I have invariably been guided, yet conceiving that some further elucidations of my sentiments and actions may not be displeasing to your Excellency, or prejudicial to my own character, I take the liberty of submitting to you the following extracts of my private letters to the Under Secretary of State, to which I solicit your Excellency's attention, viz. :—‡ Foveaux's motives.

\* The circumstances of Governor Bligh's having been, at the time of my arrival, upwards of six months under arrest, his suspension having received the sanction and approval of Lieutenant-Governor Paterson, and my own persuasion of the dreadful consequences which would have resulted from any attempt to re-instate him, left me no alternative but to continue the Government in the way it devolved upon me untill I should receive instructions from Home, or be relieved by the presence of the Lieutenant-Governor. Continues Bligh's arrest.

“I lost not a moment in acquainting him of my arrival, and sending a vessel to convey him to head-quarters.

“His landing here on the 1st of January, and the reasons which Paterson. retarded it to so late a period have, of course, been related by himself.

“During the five months that I held the command, I can most conscientiously assure you that I have been solely occupied in Foveaux's zeal for the public welfare.

\* Vol. vi, p. 401.

† 4th and 6th September, 1808; 9th November, 1808; 20th February, 1809,—vol. vi, pp. 728, 739, and 808, and ante, p. 38.

‡ Two of the letters referred to are those of 10th September and 9th November 1808. They are printed at length in vol. vi, pp. 749 and 804. The extracts from these letters are therefore not repeated.

- 1810 forwarding the interests of Government and the good of the colonists ; and I trust I shall be found justified in asserting that my efforts have not been altogether ineffectual.
- 10 Jan. "I have successfully exerted myself in the detection and punishment of the enormous frauds in the Commissary's office.
- "I have so carefully attended to the Government stores and stock, and to every other description of the public property, that plunder and speculation have been more limited than the annals of this country can produce an example of, or than the characters and habits of the generality of persons serving in the different departments could have given reason to hope for.
- Convict labour. "The labourers of the Crown have been employed for the public service alone, and the works accomplished by them are the best proof of what may be done when individual interest is not suffered to interfere with national advantage.
- The ideal Governor. "Of two points to which I am extremely solicitous of drawing your attention,—the first is the necessity which I have already repeatedly urged, of sending a man of talents, integrity, and experience as Governor of this colony, should its prosperity, or even its salvation, be an object of importance."\*
- Paterson's health. "Since my letter of the 10th March, several circumstances have occurred to induce me to alter my resolution of returning to England in the *Eolus* ; but, chiefly, the very infirm state of Colonel Paterson's health, and his wish that I should remain to assist him in the very critical situation in which the arrest of Governor Bligh and subsequent events have placed him.
- Collins's retirement. "As Lieutenant-Governor Collins has expressed an inclination of going Home, and has informed Colonel Paterson of his having applied to the Secretary of State for permission to do so, I conceive it to be my duty to remain in the colony in case my services at the Derwent should be required, particularly as Colonel Paterson is of opinion that the Government there should be administered by an officer holding the rank that I do.†
- Foveaux's private affairs. "This arrangement has exposed me to considerable inconvenience, as I had disposed of all my furniture, and numerous other articles, which the prospect (when I left England) of a long residence in this country rendered it advisable for me to bring with me.
- "I shall, however, not hesitate to sacrifice all personal considerations when they happen to interfere with my duty as a servant of the public."‡
- Actuated by a sense of duty. The official papers which I have laid before your Excellency, and the foregoing extracts of my private and confidential communications will, I trust, prove that in the very difficult and

\* Foveaux to Cooke, 10th March, 1809. The letter itself is not available.

† Collins died in harness a few months after this letter was written. Foveaux applied for the post, but was refused.

‡ Foveaux to Cooke, 28th March, 1809, now lost.

unprecedented situation in which I found myself placed, I have been actuated solely by a firm persuasion of what I thought my duty, and I have derived considerable satisfaction from having been informed by my friend, General Grose, that in a discussion on the 18th May last of the unhappy events which had occurred in this colony, Mr. Cooke expressed an opinion to him that "I had acted correctly, except in not having sent Captain Bligh to England"—a step which I certainly would have taken had there been, at the time of my arrival, a vessel at my disposal fit for that purpose, and had not Colonel Paterson (before one could be procured) declared his intention of repairing to head-quarters to assume the government as Lieutenant-Governor of the territory.

1810

10 Jan.

I beg leave to remark to your Excellency that I was not only bound, in my civil capacity of Lieutenant-Governor of a dependent settlement, to follow the instructions of Colonel Paterson as Lieutenant-Governor of the territory, but that as Major of the New South Wales Corps I was obliged to report to him, and receive his orders as Lieutenant-Colonel, although he was not actually present with the Regiment.

Foveaux  
subordinate  
to Paterson.

The Duke of York's commands to that effect were officially communicated by His Royal Highness's secretary to General Grose, in a letter dated 23rd December, 1807, and were transmitted through me from the General for the information of the officer commanding at head-quarters, of which the following is an extract, viz. :—

Orders of the  
Commander-  
in-Chief.

"I have not failed to lay before His Royal Highness the Commander-in-Chief your letter of yesterday, and I lose no time in communicating to you the decision of His Royal Highness on the several points submitted for his consideration. On the subject of the detail and management of the New South Wales Corps, I am to acquaint you that the Major must entirely be guided by the regimental orders of the Lieutenant-Colonel so long as they both continue on the same station, altho' the Lieutenant-Colonel may not be actually present with the Regiment."

Feeling perfectly satisfied that my conduct in New South Wales will bear the strictest inquiry, and anxious to submit every part of it to the investigation of His Majesty's Ministers and the people of England, I beg to solicit your Excellency's permission to proceed to Europe by the earliest private conveyance; and as I hold myself responsible to His Majesty and my country for these public acts which I sanctioned while in command of the colony, I trust that those persons who, during that period, filled the several offices and departments under me, and who properly discharged the usual duties thereof, will be protected from those malicious and vindictive prosecutions which have been publicly threatened, and which cannot fail of materially disturbing that tranquillity, harmony, and

Foveaux  
desirous of  
returning  
Home.

1810  
10 Jan. union which your Excellency so strongly recommended on opening your commission, and of counteracting the beneficent intentions of His Majesty in appointing an officer of your Excellency's high character and conciliating disposition to be his representative in this territory.

Offers his  
services.

I shall conclude by assuring your Excellency of the very sincere pleasure it will afford me to render any assistance to your Government, which, from my long residence in the colony, and the interest I have ever taken in its prosperity, you may deem me capable of affording.

I have, &c.,

J. FOVEAUX.

GOVERNOR MACQUARIE TO LIEUTENANT-COLONEL FOVEAUX.  
(Colonial Secretary's Papers.)

Head-quarters, Government House,

11 Jan.

Sir,

Sydney, 11th January, 1810.

Macquarie  
will assist;  
Foveaux.

I have the honor to acknowledge the receipt of your letter of yesterday's date, and for the reasons therein stated, you have my permission to return to England by the earliest private opportunity that may offer of conveying you from hence. You may rest assured that I shall do everything in my power to protect those persons who filled public offices while you held the chief command of this colony against malicious and vindictive prosecutions, and I trust that the steps I have already taken for this purpose will have the desired effect. I embrace this opportunity of offering you my most cordial thanks for the very useful and able advice and assistance I have already derived from you since my taking charge of the Government of this territory; and I trust you will have the goodness to continue to favour me with your advice and assistance as long as you remain in the colony, which the extensive local knowledge you possess so well qualifies you for affording me.

I have, &c.,

L. MACQUARIE.

GOVERNMENT AND GENERAL ORDER.

Secretary's Office, Sydney, 13th January, 1810.

13 Jan.

Expires.

ALL persons whose term of transportation to this colony has expired, and who have not obtained a legal certificate of freedom, are directed to give into this office, in the course of next week, a list of their names, where tried, their term of transportation, by what ship conveyed, and their time of arrival here. Those whose applications may be found correct will get their certificates of freedom on the first Saturday in February. For the future, all applications for certificates are to be made to the Secretary's Office on the first Saturday of every month, and certificates will be granted on the first Saturday of each ensuing month, according to the former usage of this colony.

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR MACQUARIE. 1810

Sir, Sydney, New South Wales, 17th January 1810. 17 Jan.

A partial evacuation of Norfolk Island having been determined on in the year 1803, I received a letter from the Earl of Buckinghamshire, then Secretary of State for the Colonies, enclosing His Lordship's instructions to Governor King for carrying that measure into effect, copies of which I beg leave to lay before your Excellency.\*

Proposed  
evacuation  
of Norfolk  
Island.

Many circumstances having rendered it at that time unadvisable, if not impracticable, to act upon the plan transmitted by His Lordship, its adoption was necessarily deferred, and on my return to England from this colony in the year 1804, I submitted a paper† (a copy of which I annex) to the then Secretary of State, containing my opinion of the expediency of a total abandonment of the island, and suggesting a plan for the removal of the settlers and inhabitants, and for making them a reasonable compensation for the trouble and inconvenience they would thereby be unavoidably exposed to.

Foveaux's  
proposals.

The plan proposed by me having met the approbation of the Minister, instructions grounded on it were conveyed to Governor Bligh in a letter dated 30th December, 1806,‡ now in your Excellency's possession, and to which I beg leave to refer you.

The encouragement and support of Norfolk Island having ever been a favourite object to Governor King, on his arrival in England from New South Wales in 1807, he made such representations to Lord Castlereagh as induced His Lordship to rescind the orders given for its evacuation, and although, when my sentiments were required, I persisted in those which I had always expressed of the policy of giving it up altogether, Governor King's opinion prevailed, and I received His Majesty's commands to return to this country for the express purpose of again placing the island upon the same establishment as was maintained during the period of Governor King's command.

Governor  
King  
opposed to  
the abandon-  
ment of  
the island.

The Secretary of State's instructions to Governor Bligh are contained in His Lordship's letter of the 31st December, 1807,§ of which I was the bearer, and which is now before your Excellency.

Bligh's  
action.

On my arrival at Port Jackson in July, 1808, I found that Governor Bligh, and afterwards Lieut.-Colonel Johnston, had made arrangements for the removal of almost the whole of the settlers from the island, which rendered it impossible for me to carry the measures proposed by the Secretary of State into execution.

\* A considerable amount of correspondence relative to the proposed evacuation of Norfolk Island will be found in vols. v and vi. The Earl of Buckingham's (Lord Hobart) instructions to King will be found on pp. 157-9 of vol. v.

† The paper will be found printed at length on pp. 581-5 of vol. v; it is, therefore, not reprinted here as an enclosure.

‡ See pp. 224-8 of vol. vi.

§ Ib., p. 401.

- 1830** Your Excellency having been pleased to ask my opinion of the expediency of still supporting an establishment on the island, I beg leave to refer you to the paper No. 2.\*
- 17 Jan.**
- Coffee plantation.** Since that paper was laid before the Secretary of State, it has occurred to him that the culture of the coffee plant may be an object of public importance, which idea proved an additional motive to His Lordship for the retention of the island.
- A costly experiment.** On this subject I have to observe that there certainly are many spots where that plant grows most luxuriantly; but no advantage which could possibly arise from its most extensive and successful propagation would prove at all proportionate to the certain and unavoidable expence which must attend the maintenance of an establishment merely to attend to its cultivation and produce.
- Limestone.** In several conversations I have had with Mr. Cooke on the subject of the island, the abundance of its limestone struck him as a matter of some importance. It appears, however, to me to be by no means so much so as to warrant the expence of any establishment on the island for the purpose of supplying Port Jackson with that article; for so great is the plenty of shells at this settlement and its neighbouring coasts that no scarcity of lime can be apprehended for several years; and even when our present source becomes exhausted, a sufficient quantity can be procured by occasionally sending vessels and labourers to Norfolk Island for the stone, which will be found an infinitely cheaper method of supply than keeping a permanent establishment for that particular object.
- Lime for building purposes.**
- Foveaux urges the evacuation of Norfolk Island.** For these reasons, and from the consideration that the great and principal difficulty is now overcome which presented itself in evacuating the island—namely, the removal of the settlers and inhabitants to another settlement—I am clearly of opinion that no solid benefit whatever can be derived from replacing it either upon the late or upon a more reduced establishment, and that considerable trouble and expence will be saved to Government by its immediate and complete evacuation.
- Live stock.** Should the latter measure be determined upon, some means must be devised for the disposal of the public stock of cattle; and I conceive the most advantageous to Government would be to sell them to contractors, on whom would devolve the risk, trouble, and expence of their removal.
- Islanders at Hobart Town.** I cannot omit this opportunity of drawing your Excellency's attention to the extremely distressed situation of the unfortunate settlers from Norfolk Island, who were forced by arrangements commenced by Governor Bligh, and continued by Lieut.-Colonel Johnston, to abandon their old establishments and proceed to the new and uncultivated settlement at Hobart Town, without having

\* That is the paper printed in vol. v, pp. 581-5.

been allowed sufficient time to prepare for their removal, agreeable to what I know to have been the intention of the Secretary of State.

1810  
17 Jan.

On their arrival at the Derwent, it was found impossible to comply with Mr. Secretary Windham's instructions as far as regarded the principal advantages held out to them on their removal.

The want of mechanics rendered it impracticable for Lieut.-Governor Collins to cause buildings to be erected for them in lieu of those they left behind; and from the small number of convicts at his disposal, there was a deficiency of 274 of the servants to whose labour they were entitled, and without which the allotments of land they received must remain perfectly useless.

Insufficient accommodation at the Derwent.

These and many other serious hardships to which this unhappy class of persons has been exposed, both during and since their departure from the island, I have repeatedly represented to Lord Castlereagh, and have no doubt but they will excite His Lordship's commiseration.

The Secretary of State informed.

I now rest assured that, as far as the present circumstances of the colony will admit, the alleviation of their sufferings will form an early object of your Excellency's humane attention.

I have, &c.,  
J. FOVEAUX.

COMMANDER FLINDERS TO SIR JOSEPH BANKS.

Wilhelms Plains, in the Isle of France,

Sir,

18th January, 1810.

18 Jan.

I have still the chagrin in writing to you to say that, except a large retrenchment upon the degree of liberty that was before allowed me, no change has taken place in my situation since Aug. 3 ult., when I had the honour of addressing a letter to you. Several vessels have lately got in here from France; but it does not appear that any fresh orders relative to me are arrived, although I know that the French Marine Minister is certainly informed of the non-execution of his order of March 21, 1806,\* and even that the Government still intends it should be put into execution; but why the Minister has not thought proper to forward a second order is wholly unknown to me. There seems to be some extraordinary mystery covering this subject, which neither I or any person with whom I have conversed are able to penetrate. Whether it is that the French Government wait for an official request to that effect from His Majesty's Ministers—whether there is some political intrigue in hand to overturn General De Cuen, and to which his refusal to obey the order for my liberty is to be made assisting—or whether the encroachments made at Paris upon my discoveries on the south coast of Australia constitute the

Flinders still a prisoner

Order of the French Minister.

Flinders's detention a mystery.

\* This letter was printed by Flinders on p. 460, vol. II, of his *Voyage to Terra Australis*.

1810

18 Jan.

cause of the delay, I am unable to fix even a founded conjecture, but think that some one or all of these causes have an influence in it. Permit me once again, Sir Joseph, to recommend my cause to your protecting interest with the Admiralty, or in His Majesty's Privy Council, as you may judge most expedient.

News of  
Banks.

In a *Gentleman's Magazine* for March, 1809, I had the satisfaction of seeing mentioned your election to the Recordship of Boston, in place of the late Duke of Ancaster; and thus the fears for my patron and friend, which from time to time come across me, and augment my chagrin, were once more dissipated. I do indeed fear that my hopes of one day completing the examination of Australia, or of obtaining promotion as a recompense for what I have done in the *Investigator*, will never meet a second advocate and promoter equal to the first. In these times of war and desolation, there are, alas! so few who are able, and at the same time willing, to aid such enterprises, however interesting they may be to science and to humanity; and I know too well how feeble my unassisted voice is, and how unable to make itself heard upon such a subject, amidst the din of arms which appears still to resound throughout Europe. From both reason and sentiment I do, therefore, most anxiously hope and pray that many years of life and health may be added to the illustrious course you have, Sir Joseph, already run; and that it may be permitted me to depart once more upon a voyage of discovery to Australia under your auspices, after having testified in person the high sense of obligation and respect with which I am, and ever shall remain, &c.,

MATT'W FLINDERS.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney,

Friday, 19th January, 1810.

19 Jan

The ration.

THE Commissary is directed to issue the following full ration to the troops and others victualled from the public stores:—

Eleven and a half pounds of wheat, seven pounds of beef or four pounds of pork, six ounces of sugar or one pound of wheat or two pounds of maize.

The above-mentioned ration is to commence being issued to-morrow.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney,

Saturday, 20th January, 1810.

20 Jan.

Bligh's  
guard of  
honor.

A GUARD of honor, consisting of 1 serjeant, 1 corporal, and 12 privates, furnished by the 73rd Regiment, to mount daily over Commodore Bligh at his quarters, in the town of Sydney, during his residence at this settlement.

The Governor has been pleased to reinstate Thomas Massey in his former situation of superintendant. He is therefore to be obeyed as such, and to hold himself in readiness to embark for that settlement by the first opportunity, which will occur in a few days.

1810

20 Jan.

Superintendent Massey.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney,

Monday, 22nd January, 1810.

22 Jan.

His Excellency the Governor has been pleased to appoint Major G. A. Gordon, of the 73rd Regiment, to be commandant of the settlement of Port Dalrymple till further orders.

The command at Port Dalrymple.

The Governor has also been pleased to appoint Captain William Kenny, of the 73rd Regiment, to act as Deputy Judge-Advocate at Port Dalrymple till further orders.

MATTHEW HUGHES TO REV. WILLIAM COWPER

(Colonial Secretary's Papers.)

Rev. Sir,

Kissing Point, 24th January, 1810.

24 Jan.

Having for a considerable time labor'd under some very trying circumstances, I have taken the liberty of addressing you with a few lines, hoping, sir, you will do me the favour of submitting them to the consideration of His Excellency Governor Macquarie.

A school-teacher's letter.

I have been situated as schoolmaster in the district of Kissing Point for the space of ten years. At the commencement of the institution His Excellency, Governor Hunter, knowing that the settlers of the district in general were poor, was humanely pleased, in compassion to their numerous offspring, to allow them a person as teacher, with all the privileges of His Majesty's stores. I was accordingly placed in the situation, at the recommendation of the rev. gentlemen then in the colony, which procedure was sanctioned by His Excellency Governor King and His Excellency Governor Bligh. But, as that indulgence has been withdrawn, through the late change of affairs in the colony, I consequently feel the effects in my indigent circumstances, am compell'd to relinquish the school in part, being inadequate to a support, so that the time which I should employ in improving the children's minds I must labour in the field in order to supply the necessary wants of me and my wife. There are above fifty children in the district. The parents of some are very desirous of having them instructed; there are others who are careless and negligent, and bring their children up in the grossest ignorance. I earnestly wish, sir, that you could find a convenient opportunity of coming up and addressing them on this important subject. Should you be so kind, sir, as to state my particular situation to His Excellency, I feel in my mind a

The school at Kissing Point.

Closed for want of Government aid.

Will Macquarie help

1810

24 Jan.

comfortable persuasion that the indulgence will be restored to me and my wife, and that His Excellency's administration will be happily experienced by encouraging and supporting so necessary an institution.

References  
for  
character.

My character for a number of years in this colony can bear the strictest enquiry. For confirmation of this testimony, you may with propriety, sir, have reference to Mr. Hassall; and when the Rev. Mr. Marsden arrives in the colony, I have no doubt but he will recommend me to the favour of His Excellency Governor Macquarie.

Your compliance, rev. sir, to what I have herein requested I shall gratefully acknowledge, and remain, &c.,\*

MATHEW HUGHES,  
Schoolmaster.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney,

Thursday, 25th January, 1810.

25 Jan.

The Com-  
mandant  
at Norfolk  
Island.

HIS Excellency the Governor is pleased to appoint Lieutenant Tankerville Alexander Crane, of the 73rd Regiment, to be Commandant of Norfolk Island till further Orders.

Justices of  
the Peace.

The Governor has been pleased to nominate and appoint Major George Alexander Gordon and Captain Wm. Kenny, of the 73rd Regiment, to be justices of the peace and magistrates at the settlement of Port Dalrymple, in the county of Cornwall, in Van Dieman's Land; and also Lieutenant Tankerville Alexander Crane, of the 73rd Regiment, to be justice of the peace and magistrate at Norfolk Island. They are accordingly to be obeyed and respected as such.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney,

Friday, 26th January, 1810.

26 Jan.

SERJEANT Cornelius O'Neil, of the 73rd Regiment, is appointed to act as storekeeper at Norfolk Island till further orders.

General  
muster.

His Excellency the Governor is pleased to direct that a general muster of the following descriptions of persons shall take place, in the order as they stand, by Lieutenant-Governor O'Connell and Lieutenant-Colonel Foveaux:—

*At Sydney.*

Men on the  
stores.

The men of every description victualled from the public stores (civil and military excepted), on Thursday, the 1st of February, and Friday, the 2nd; and the women of all classes victualled from the public stores, on Saturday, the 3rd, at 8 o'clock in the morning, at the Lieutenant-Governor's barrack.

\*See Hughes's letter of 5th February, 1810, post, p. 284.

The settlers and every other description of persons occupying land by grant, lease, rental, or permission residing at Sydney, or any of the districts adjacent, are to attend on Monday, the 5th day of February, at 8 o'clock in the morning at the same place, at which time they are to give an exact account of their land under cultivation, &c., and the stock in their possession. 1810  
26 Jan.  
Land-  
holders.

The male prisoners and free men not victualled from the public stores (excepting such as are included in the above classes of people holding land) residing at Sydney, or any of the districts adjacent, are to attend on Tuesday, the 6th, and Wednesday, the 7th of February, at the same hour and place. Prisoners  
and free  
men.

The female prisoners and free women of every description, not victualled from the public stores, residing at Sydney, or any of the districts adjacent, are to attend on Thursday, the 8th, and Friday, the 9th of February, at the same hour and place. Women.

#### *At Parramatta.*

The men and women of every description (civil and military excepted), victualled from His Majesty's stores at this place, on Saturday, the 10th day of February next, at 8 o'clock in the morning, at the Court-house, at Parramatta. At Parra-  
matta.

The settlers and every other description of persons occupying land by grant, lease, rental, or permission residing at the following places, or the districts adjacent, viz., Parramatta, Prospect Hill, Baulkham Hills, Toongabbee, and George's River, at the northern boundaries, Field of Mars, Dundas, &c., are to attend at the same place and hour, on the mornings of Monday, the 12th, and Tuesday, the 13th of February, at which time they are to give an account of their land under cultivation, &c., and stock in their possession. Land-  
holders.

The male prisoners and free men of every description not victualled from the public stores (excepting such as are included in the above classes of people holding land), residing in any of the above places, or the districts adjacent, are to attend on Wednesday, the 14th, at the same hour and place. Males.

The female prisoners and free women of every description, not victualled from the public stores, residing in any of the above places, or the districts adjacent, are to attend on Thursday, the 10th, at the same hour and place. Females.

#### *At Hawkesbury.*

The men and women of every description victualled from His Majesty's stores at this place (civil and military excepted), on Friday, the 16th day of February, at 8 o'clock in the morning, at the church on the Green Hills. At the  
Hawkesbury

The settlers and every other person occupying land by grant, lease, rental, or permission residing at the following places, or Land-  
holders.

- 1810 any of the districts adjacent, viz., Green Hills, South Creek, Richmond, the Nepean, Caddi, Portland Head, &c., are to attend on the mornings of Saturday, the 17th, and Monday, the 19th of February, at the same hour and place, at which time they are to give an account of their land under cultivation, &c., and stock in their possession
- 26 Jan.
- Males. The male prisoners and free men of every description not victualled from the public stores (excepting such as are included in the above classes of people holding land), residing in any of the above places, or the districts adjacent, are to attend on the morning of Tuesday, the 20th of February, at the same hour and place.
- Females. The female prisoners and free women of every description, not victualled from the public stores, residing in any of the above places, or the districts adjacent, are to attend on the morning of Wednesday, the 21st of February, at the same hour and place.
- Children. The attendance of children will be dispensed with; but the parents will be required to give an account of them when they are mustered themselves at the respective places.
- Erroneous returns. And as the intention of the musters hitherto taken have been in some measure defeated from the incorrectness of written returns made by individuals unauthorised to do so, it is therefore hereby ordered that all persons comprised within this Order do attend, and any one disobeying herein will be punished to the utmost extent of the law (if free), and, if prisoners, they will be sentenced twelve months' imprisonment, and to work in the gaol gang.
- Officers' land and stock. Officers, civil and military, are requested to make a return of their land and stock, agreeable to the following form, upon the back of which they are to insert the names of their wives and children, servants (male and female), distinguishing whether they are on or off the stores, free or not free, with the ship's name they came in, on the first day of the muster, at the respective places.
- The regulations respecting the attendance of settlers, &c., and the accuracy of their returns will, on this occasion, be strictly enforced.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney.

Saturday, 27th January, 1810.

27 Jan.  
Sunday  
labour.

It having been intimated to His Excellency the Governor that a very shameful and indecent custom has prevailed, not only in the town of Sydney but also in many other parts of the colony, of settlers and other inhabitants carrying on their usual avocations and labours on Sundays in the same manner as on the other days of the week, the Governor hereby strictly prohibits such indecent profanation of the Sabbath in future, and directs that the

constables of the town of Sydney, and at all the other settlements, bring before a magistrate any person that presumes to work on the Sabbath Day, in contradiction to this Order, that he may be punished for such offence in an exemplary manner. 1810  
27 Jan.

All public-houses at Sydney and at the other settlements in the colony are in future directed to be shut up during the time of Divine service; and any person detected in selling or retailing wines or spirituous liquors of any kind during the time of Divine service will most certainly be deprived of their licenses, besides being prosecuted for a breach of these Orders. Public-houses.

The public-houses in the town of Sydney must always continue shut up from ten o'clock in the morning till half-past twelve o'clock at noon every Sunday, as well as on the other stated holidays throughout the year on which Divine service is performed.

#### GOVERNMENT PUBLIC NOTICE.

Government House, Sydney, 27th January, 1810.

WHEREAS it has been represented to me that certain persons under the assumed Government which took place on the arrest and removal of William Bligh, Esquire, late Governor and Commander-in-Chief of the territory of New South Wales and its Dependencies, &c., &c., &c., had obtained what were called free pardons and conditional pardons, and that said persons imagine such pardons to be valid and legal, notwithstanding the proclamation issued by me on the 4th instant, wherein all the acts of the Government subsequent to said arrest are declared "void and of no effect." Pardons granted after the arrest of Bligh.

This is therefore to give notice that all persons possessed of such free or conditional pardons are hereby required, on or before the 15th day of February next ensuing, to surrender the same into the Secretary's office, on pain of being immediately apprehended and set to Government work in the same manner as they had been previous to their having received such illegal pardons. To be surrendered.

And all persons who have obtained certificates of freedom subsequent to said arrest, in consequence of their term of servitude having duly expired, are required to send in to the Secretary's office forthwith said certificates, in order to their being cancelled and legal ones made out to them in their stead. Illegal certificates.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney,

Saturday, 27th January, 1810.

It appearing from a recent investigation directed to be made of the circumstances attending the late elopement of two of the girls from the Orphan School, that very unfair and improper means were used by persons residing at Sydney to seduce them from the Abduction of orphans.

1810  
27 Jan. paths of virtue and to entice them to quit that asylum.—His Excellency the Governor, as the patron of that valuable institution, deems it his duty thus publicly to make known his firm determination to prosecute all such persons, of whatever rank, class, or denomination, to the utmost rigor of the law, who shall dare to attempt to seduce or entice away any of the girls of the Orphan School from that institution, besides exposing their names publicly in the *Sydney Gazette*.

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GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House,

Sydney, 29th January, 1810.

29 Jan.  
102nd  
Regiment.

THE Commander of the Forces feels particular pleasure at being able thus publicly to testify his approbation of the soldier-like and clean, neat appearance of the 102nd Regiment on the occasion of his inspecting them this morning. He is also happy to bear testimony to the steady discipline and orderly good conduct of this corps since the period of his assuming the command of the Forces in this territory.

Volunteers  
for the 73rd.

Conformably to His Majesty's Regulations, as expressed in the eighty-ninth clause of the last Mutiny Act, such men of the 102nd Regiment who do not exceed thirty-five years of age, and are in every respect fit for the service, will be received as volunteers in the 73rd Regiment, and paid the usual bounty allowed by His Majesty of three guineas to each man approved of by the Commander of the Forces and the commanding officer of the latter corps.

The Adjutant of the 102nd Regiment will be directed to open a book at his quarters, where the names of such men of the above-mentioned description as are inclined to volunteer into the 73rd Regiment will be entered; and they are accordingly directed to give in their names with as little delay as possible.

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GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House,

Sydney, Wednesday, 31st January, 1810.

*Civil Department.*

The Commissariat.

HIS Excellency the Governor, with a view to improve the present system of conducting the duties of the Commissariat Department, directs that the following regulations shall in future be strictly obeyed and enforced respecting the purchase for and issue of provisions, &c., &c., from the public stores :—

Monthly  
vouchers.

1st. In order to prevent inconvenience, the vouchers for purchases must be made up every month (after the form No. 1, sent to the Commissary), and is to be attested on oath by the storekeeper in charge of the stores, and transmitted by him to the Commissary.

2nd. The storekeeper is to make weekly returns of the grain and animal food so received, which must be witnessed by two proper persons appointed to attend the stores; one return to be sent to the Governor's Secretary, and the other to the Commissary (after the form No. 2, sent to the Commissary). 1840  
31 Jan.  
Weekly  
returns of  
food  
received.  
Store-  
keepers'  
receipts.

3rd. On the delivery of grain or animal food into the stores, the storekeepers are to give the persons from whom the articles are purchased receipts or acknowledgments, and at the same time the vouchers should be signed by them, so that there may be no delay at the end of the month in transmitting them to the Commissary at head-quarters (after the form No. 3, sent to the Commissary).

4th. All demands for stores or provisions at Sydney must be countersigned by the Governor's Secretary, and be presented direct from him to the storekeepers, who should immediately issue them, in order that the public service may not be impeded by delay; and they should signify that the orders have been complied with by writing their names across the face of them. After the stores are closed for the day, the storekeepers must deliver all such orders to the Commissary, who should compare the Issue Book with the entries and orders, and, if found correct, he should signify the same by affixing his signature to the foot of each day's issue. Orders for  
stores.

5th. The issue of provisions must always be attended by two respectable persons, for the purpose of preventing and detecting any improper proceedings, who should report to the Commissary and Secretary any case that may require it. Issuing  
provisions.

6th. When stores or provisions are received from England, or purchased in the colony, the Commissary is to deliver to the Governor's Secretary, as soon as possible, invoices of the particulars thereof, specifying from whom received or from whom purchased. Invoices of  
receipts.

7th. The Commissary must deliver to the Governor's Secretary a general account of all receipts and expenditures, specifying what has been issued on the public account and what on that of individuals, and how they have been paid for; and if any balances should remain due from individuals such balances should be verified by the signatures of the persons from whom they may be due. He must also deliver an account of the receipts and disbursements of cash, with the vouchers in support thereof. These accounts are to be made up every six months, viz., from the 1st of January to the 30th of June, and from the latter period to the 31st of December; and must be delivered in by the 31st of January and 31st of July in each year; in addition to which they are to be accompanied by an account current for the year. Commissary's  
accounts.

8th. A particular and separate account of all grain, stock, or other articles raised or produced in the colony by the servants of the Crown, and received into His Majesty's stores, is to be kept and delivered in by the Commissary in the foregoing manner. Government  
grain.

- 1810  
31 Jan. —  
Store-keepers' weekly returns.
- 9th. The storekeepers, to prevent delay in furnishing their accounts, must regularly deliver to the Commissary and Secretary weekly returns (on each Thursday) of all receipts and issues of stores and provisions, and on the back of the provision returns they should specify the entries and discharges of all persons victualled, that the necessity of referring to them for such information may be thereby avoided.
- Lists of persons receiving victuals.
- 10th. The Commissary is to keep a separate list of each class of persons victualled from the public stores, in which he will make entries and discharges as they may occur; and no person is to be victualled or discharged without a written order from the Secretary, or such other person as the Governor may authorise. Similar lists, as far as may be practicable, are to be kept by the Commissary, of all persons off the stores; and to render such lists as correct as possible, the clergyman will be required to make regular returns to the Commissary and Secretary of all births and deaths within their respective districts.
- Returns for England.
- 11th. When any ship is about to depart from the colony for England, the Commissary is to furnish the Governor with a particular statement of the settlement, after the customary form.
- Public debts.
- 12th. Considerable inconvenience and difficulty having hitherto been experienced in collecting public debts, the Commissary is not to give credit for any articles under his charge without the Governor's special order to that effect, signified in writing by his Secretary.
- 13th. No storekeepers, clerks, or assistants in the stores are to be permitted to be employed in any other manner than for the purposes for which they are engaged in the service of Government.
- Strict compliance enjoined.
- His Excellency the Governor will expect a faithful and strict compliance with the foregoing regulations from all those persons concerned in carrying them into effect, it being evident that by strictly conforming to them the accounts of the Commissariat Department will not only be greatly simplified, but also rendered less subject to abuse and fraud in the original purchases and issues of provisions and stores.

MATTHEW HUGHES TO SECRETARY CAMPBELL.  
(Colonial Secretary's Papers.)

5 Feb.  
A school-master's wages.

Sir,  
Sydney, 5th February, 1810.  
I engage to give six children education, free of all expence to their parents, and to continue to educate such other children as may come to my school, at the rate of eight pence per week for spelling and reading and one shilling per week for writing and accounts; being allowed for the same one ration from the Government stores, daily.

MATHEW HUGHES,  
Schoolmaster, Kissing Point.

Ordered one ration hereon on 5th Feb'y, 1810; recommended by Rev'd Mr. Cowper.—J.T.C.

# THE TANK STREAM.

285

GOVERNMENT AND GENERAL ORDER.

1810

Head-quarters, Government House,

8 Feb.

Sydney, 8th February, 1810.

IT having been represented to His Excellency the Governor that there is at present a great scarcity of water for the use of the inhabitants and shipping, principally owing to people washing clothes in the tanks, and swine and pigs being allowed to go into them and drink water in the small stream that supplies those tanks, it is hereby positively ordered and directed that no person shall presume to wash any clothes in either the tanks or stream in future, on pain of being severely punished; and the owners of swine and pigs will be held responsible that none are suffered to go into the tanks, or drink in the stream either above or below the tanks. Any swine or pigs found committing this trespass will be forfeited, and the owners prosecuted for a breach of orders.

Sydney  
water  
supply.

The Tank  
Stream.

The inhabitants residing along the banks of the stream of water that supplies the tanks are also strictly ordered not to allow their cattle to drink in it during the present dry season, nor to suffer any dirt, garbage, or offals to be thrown into it.

REV. WILLIAM COWPER TO SECRETARY CAMPBELL.

(Colonial Secretary's Papers.)

Sir,

Sydney, 10th February, 1810.

10 Feb.

I beg leave to state, for the information of His Excellency the Governor, that, by the 88 Can., all "Temporal Courts, and Masters," are forbidden to be kept in any "church," or "chapel," or "churchyard." I would therefore recommend, so soon as may be consistent with the present state of affairs, that some other place than the church may be provided at the Hawkesbury settlement. There, I am informed by Mr. Youl, the reader, the magistrates hold the Courts in the church; and profane language and an abuse of the Creator's name and attributes are habitual on the very spot where at other times they offer up their petitions in the most solemn manner. Such usage retracts from the sanctity of the house. Other situations, I am given to understand, full as convenient, could be appropriated.

Using a  
church as a  
Court-  
house.

I am, &c.,

WILLIAM COWPER,

Ass't Chaplain, N.S.W.

## GOVERNMENT PUBLIC NOTICE.

Secretary's Office, 10th February, 1810.

NOTICE is hereby given, that all persons wishing to obtain permission from this office to leave the settlement are required to give public notice twice of such their intention in the *Sydney Gazette*, the first notice to be dated at least ten days previous to their time of embarking, mentioning the ship or vessel by which they mean

Protection  
of creditors.

1810  
10 Feb.

to depart. They are also to procure certificates from the Judge-Advocate that no detainees are lodged against them for debts, securities, bail bonds, breaches of the peace, &c. These certificates must be dated at least eight days subsequent to the first public notice, and permissions will not be granted until within two days of the time specified for their embarking.

For the purpose of giving the fullest effect to this notice, all masters or commanders of vessels are required to pay the strictest obedience to the Colonial Regulations with respect to taking persons on board who have not obtained regular permissions, as the penalties attached to the breach of them will be most strictly enforced.

#### JOHN MACARTHUR TO HIS WIFE.

14 Feb.

My dear, dear Elizabeth, London, 14th February, 1810.

\* \* \* \* \*

A letter from  
Sydney.

A few days after I had despatched my letters by Mr. Burney's ship, I had the inexpressible happiness to receive yours by the Eolus, by which I learnt the extraordinary, and by me almost unexpected, change that had taken place in our poor dear sufferer Elizabeth's health. I trust in God your next letters will contain tidings of her perfect recovery, as well as the health of yourself, my dear Mary, and Emmeline. Your letters were accompanied by a very long one from Oxley, with all the particulars of Bligh's proceedings from the period of their departure from Port Jackson. The information Oxley gives will not allow me even to hope that the wretch will quit the colony until forced; consequently, many tedious months must elapse before he can arrive in this country, and until he does not a single step will be taken in our business. But it is useless to repine, and indeed improper, because an event that I now consider so unfortunate may in the end prove quite the reverse.

Bligh's  
movements.

Macarthur's  
ill-health.

In my former letter I acquainted you that I had just recovered from a most violent cold. A few days after that letter was despatched it returned again with renewed violence, and in a very short time had so increased as to confine me to my bed. The complaint continued but with little diminution for several weeks; but, thank God, I entirely got the benefit of it more than a week since; and I am now recruiting my strength very rapidly. Next week I propose going to the hot wells at Bristol, where I shall remain until April. I have been attended by Sir Walter Farquhar with great care and solicitude; but it is a week since he has seen me, and since I have ceased to take any medicine. Having now, my dearest love, made you acquainted with the real truth, I earnestly entreat you will not suffer yourself to be alarmed with any exaggerated reports that may be circulated in the colony, for

Convales-  
cent.

I do in the most solemn manner assure you that I am at this moment entirely free from all complaint, and sufficiently strong to go abroad, were it not that I should consider it imprudent to expose myself to any hazard of a second relapse. 1880  
14 Feb.

Edward was with me all last week, and left me only three days ago. He is at present quartered at Winchester with a party of his regiment, who are under orders to join the 1st Battalion at Malta, but it is extremely uncertain when they will go. He is in high health and spirits. I wrote to him last night to send up his letters for New South Wales, and, no doubt, shall get them in time to forward with my own. Edward Macarthur.

John has been at the University at Glasgow a month. He expresses himself to be pleased with his situation, and I have every reason to hope he will prosecute his studies diligently. He resides in the house of a clergyman of great respectability. I heard from him last week. He was perfectly well, and spoke of sending up a packet for you; but I am fearful it will be too late. William and James, or I should have said James and William, are both at Dr. Lindsay's. Edward saw them on Friday; both well, and perfectly content with their situation. Macarthur's other sons.

Edward received a letter from your mother last week; she was then in good health, as was your sister. A Madras paper has been received here which speaks of the arrival of the Elizabeth at Canton; but I have not heard from Hannibal. Mrs. Macarthur's mother.

No notice whatever has been taken by Government of our affairs; but I have the satisfaction to know that our friends have not been idle since our arrival, and that Mr. Bligh's party are extremely crestfallen. I had a visit three days ago from Mr. Elliott (Lord Minto's brother), and in speaking of the arrest of Bligh he said: "I have the pleasure to assure you that only one opinion now prevails on this subject. It is universally acknowledged that the measure was indispensable for the preservation of everything worth saving in the colony; and although you have been much misrepresented, its effects have subsided, and your conduct is a subject of much praise." English opinion on Bligh's arrest.

Thus you see, my beloved wife, that the painful separation to which we have been obliged to submit may produce consequences favourable both to ourselves and our children.

I hope Colonel Macquarrie has arrived safe amongst you long before this. If he prove on trial at all equal to the universal character he has here, his government cannot but prove a blessing to the colony. Circumstanced as you are, and strongly recommended as you have been to the kind notice and favour of the Colonel and Mrs. McQuarrie, I cannot entertain the slightest apprehension of your not deriving happiness and increased security from the change. Governor Macquarie.

1810

14 Feb.

What would I not sacrifice to know the exact state of things amongst you ; but it is unavailing to indulge such an idea.

\* \* \* \* \*

Family  
messages.

To my dear, dear girls say everything that can assure them of my unabated affection. Till to-morrow adieu, my beloved wife, and believe me,

Yours, &c.,

JOHN McARTHUR.

If any accounts of my health should reach your ears besides what I have written, I conjure you to be satisfied that I have told you the whole truth, and to be convinced that I would not attempt concealment in such a case.

#### MEMORIAL OF GEORGE CROSSLEY. (Colonial Secretary's Papers.)

To this Excellency Lachlan Macquarie, Esquire, Captain-General and Governor-in-Chief of His Majesty's territory of New South Wales and its dependencies, &c., &c., &c.

15 Feb.

Hawksbury, 15th February, 1810.

The Memorial of George Crossley, of Richmond Hill, settler.

Most respectfully sheweth,—

Crossley in  
retirement.

That, in obedience to your recommendation, when memorialist had the honor of an interview with your Excellency, he retired to his farm at the Hawksbury until rumours of vessels being about to sail for England with your first dispatches reached him.

Crossley's  
losses.

Your memorialist most respectfully encloses an estimate\* of his losses during the late rebellion, most earnestly requesting your Excellency will transmit the same to His Majesty's Ministers for some compensation.

A last resort.

Until their reply arrives—desirous as your memorialist feels to be guided by your Excellency's directions (pacifically recommended)—he would fain employ himself in the cultivation of his farms, and thus, by active exertions, endeavour to recover from the ruin in which he is now involved.

Asks for aid,

It is the difficulty of managing these farms, comprising 315 acres, without some assistance, which induces your memorialist further to petition your Excellency for aid in his exertions to recover himself by little and little from the suffering position wherein he stands at this time, and which is correctly stated and depicted in the enclosed estimate.

and advice.

Your Excellency's humanity cannot compensate for your memorialist's two years' imprisonment in the sixty-third year of his age ; but it is in your Excellency's power to assist him to forget

\* It will be seen by the note attached to Crossley's petition, and initialed by Governor Macquarie, that this statement was returned to Crossley, and is therefore not available.

the past by extending to him your protection, advice, and assistance in the exertions of his industry for the future. In this expectation your memorialist with gratitude will ever pray, &c.

1810

15 Feb.

GEORGE CROSSLEY.

*Memorial endorsed, in Macquarie's handwriting*.—"In reply to his memorial, the Governor is concerned he cannot take upon himself to give him any indemnification for the losses he represents he has sustained during the late usurpation of the Government of this colony. The losses, however, appear to him incredible, and so enormous, that he must decline forwarding the statement of them to His Majesty's Ministers. The statement of them which accompanied his memorial is, therefore, herewith returned. The Governor is also sorry to say he cannot with propriety grant Mr. Crossley the assistance he solicits in carrying on his agricultural pursuits without orders from His Majesty's Ministers.—L.M."

Macquarie's  
reply.

#### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Friday, 16th February, 1810.

16 Feb.

THE very great and unnecessary number of licensed houses for retailing wines and spirituous liquors that have hitherto been allowed to exist in the town of Sydney and adjacent districts cannot fail of being productive of the most mischievous and baneful effects on the morals and industry of the lower part of the community, and must inevitably lead to a profligacy of manners, dissipation, and idleness.

Plethora of  
public-  
houses.

In view, therefore, to check these evils, as well as in the hope of its awaking sentiments of morality and a spirit of industry amongst the lower orders of the people, His Excellency the Governor has deemed it his indispensable duty to make a reduction of the number of the licensed houses for retailing spirits, &c., and no more than the following numbers in the town and adjacent districts will be hereafter allowed on any account whatsoever, namely: Twenty houses in the town of Sydney, one at the Half-way House on the road between Sydney and Parramatta, three in the town of Parramatta, one at the Half-way House between Sydney and Hawkesbury, and six at Hawkesbury and adjacent districts.

The number  
reduced.

As the Governor conceives the foregoing numbers to be fully sufficient for the use and convenience of the public, he is resolved to punish most severely any one presuming to sell spirituous liquors or wines without a regular license.

Any person, therefore, retailing, or attempting to retail, wines or spirituous liquors without a license, after the promulgation of this Order, will be fined in the sum of twenty pounds sterling, besides

Penalties.

1810 forfeiting the whole stock of wines or liquors found in their  
 16 Feb. possession—half of which wines and liquors to go to the informer,  
 and the other half to the Crown.

The licensed Those persons who have now got licenses, having paid a tax of  
 victuallers. twenty pounds to Government for a renewal of them, and found  
 besides two respectable inhabitants to go security for their good  
 behaviour and keeping orderly houses, the Governor indulges a  
 hope they will not forfeit them by any improper or irregular con-  
 duct, and that they will not abuse the recommendations sent in to  
 him in their behalf.

Names of persons to whom licenses have been granted at  
 Sydney, viz. :—

John Driver	James Chisholm	William Chapman
William H. Mansell	Mary Reiby	George Howe
Joseph Tuck	William Blake	Richard Cheers
Matthew Kearns	Samuel Foster	Thomas Abbott
Mary Skinner	Michael Hayes	Elizabeth Graham
William Roberts	Samuel Terry	Matthew Gibbons.
Richard Guise	James Morris	

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney,

Wednesday, 17th February, 1810.

17 Feb. COMMODORE BLIGH, as late Governor of this territory, is to be  
 Commodore Bligh. received by all guards and sentinels with the same respect and  
 compliments as were formerly paid to him when in the chief com-  
 mand, namely, presented arms from all guards and sentinels and  
 drums to beat a march.

#### MISSIONARIES TO GOVERNOR MACQUARIE.

Sir, Brig Hibernia, Sydney Cove, 17th February, 1810.

Missionaries We, the underwritten, having arrived in this port, think  
 from Otaheiti. it our duty—with all due respect—to inform your Excellency  
 thereof. For a long time we have resided on the island, Otaheite,  
 as Christian missionaries. Some of us have been sent there in  
 1796, and the rest in 1800, at the expence and under the patronage  
 and direction of the London Missionary Society.

Residence at During our residence there we have endeavoured by all the  
 Otaheiti. means in our power to answer the purpose of our mission, acting  
 as far as circumstances would permit, agreeable to the instructions  
 we had received ; nor sh'd we have relinquished our post had not  
 necessity compelled us to it.

Escape from A general rebellion at Otaheite having broken out in the end  
 the island. of 1808, the state of the island was such that, in order to save  
 our lives and some of our property, we, and also Po-ma-ree, the  
 king of the island, were under the necessity of making our escape.  
 He, with some of our number, went to the neighbouring island,

Eimeo, but most of us went to Huahine, one of the Society Islands, where in the course of some months we were joined by those that had gone with the king to Eimeo, one only excepted. 1810  
17 Feb.

Of what followed at Otaheite,—the capture of the *Venus*, &c.,—your Excellency may be informed by Captain Campbell. The island, Otaheite, being in such a distracted state, and the anarchy likely to extend to the neighbouring islands, our houses being burnt, our gardens destroyed, and much of our property plundered, we were thrown into such a situation as we could not pursue the object of our mission, nor continue much longer in the islands with any reasonable prospect of safety. We therefore were under the necessity of taking our passage in the *Hibernia* for the colony of New South Wales, not knowing but it might be too late before another opportunity occurred. Missionaries take refuge in N.S.W.

We are come to the colony as British subjects in distress, and from the many favors shewn unto us by its former Governors, together with the ideas we have formed of your Excellency's goodness and humanity, we are led to hope that our case will be taken into favourable consideration. We therefore humbly solicit your Excellency to grant us the privilege of becoming settlers in the colony. And waiting your Excellency's commands, Wish to become settlers.

We remain, &c.,

JOHN DAVIES.	SAMUEL TESSIER.
JOHN EYRE.	CHARLES WILSON.
WILLIAM HENRY.	JAMES ELDER.
WILLIAM SCOTT.	

#### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 20th February, 1810. 20 Feb.

His Excellency the Governor directs that Senior Assistant Surgeon Mr. D'Arcy Wentworth shall continue to perform the duties of Principal Surgeon on the civil establishment of this colony until His Majesty's pleasure shall be known, or until the return of the Head Surgeon, Mr. Jamison, from England, to take charge of that department. D'Arcy Wentworth.

The Governor is also pleased to direct that Mr. William Redfern shall continue to act as Assistant Surgeon on the civil medical establishment of this colony until His Majesty's pleasure shall be known, it being His Excellency's intention to recommend that Mr. Redfern may be confirmed in that situation. William Redfern.

#### SECRETARY CAMPBELL TO MISSIONARIES.

Gentlemen, Secretary's Office, 22nd February, 1810. 22 Feb.

His Excellency the Governor having considered your joint letter of the 17th instant, representing yourselves as missionaries, and announcing your arrival from Otaheite, with the sufferings Missionaries welcomed.

- 1810  
22 Feb. you have been exposed to there, and requesting to become settlers in this colony as British subjects in distress, I am commanded to inform you that His Excellency is extremely well disposed to afford you, as missionaries, every reasonable assistance and indulgence in consideration of your distressed circumstances in being compelled to quit Otaheite and to seek an asylum under this Government.
- Land grants promised. His Excellency has no objection to grant you permission to become settlers, and to grant you allotments of land as soon as he can spare you the necessary assistance of Government servants to labour it. At present it is not in his power to render you this assistance, owing to the scarcity of Government men to carry on the public works.
- Avocations of missionaries. In the meantime, such of your members as are qualified to undertake the education of youth will be employed in that capacity, if agreeable to you. Such of you as are tradesmen cannot fail of being able to support yourselves and families by your own industry, and the few who possibly may be unable so to render yourselves useful to society and to yourselves, and have families of children, His Excellency is pleased to say will be indulged for a short time by being put on the Government stores.
- Aid from the stores. Such of you as are married and have children who wish to derive the advantage of the Government store, will please to send in to my office the names of your wives and children, with the ages, respectively, of the latter. I have, &c.,  
JNO. THOS. CAMPBELL,  
Secretary.
- 24 Feb. BY His Excellency Lachlan Macquarie, Esquire, Captain-General and Governor-in-Chief of the territory of New South Wales and its dependencies, &c., &c., &c.
- Immorality and vice. WHEREAS His Excellency the Governor has seen with great regret the immorality and vice so prevalent among the lower classes of the colony; and whereas he feels himself call upon in particular to reprobate and check, as far as lies in his power, the scandalous and pernicious custom so generally and shamelessly adopted throughout the territory of persons of different sexes cohabiting and living together unsanctioned by the legal ties of matrimony; and whereas the consequences of this immoral and illicit intercourse have been found (as might have been expected) not only highly injurious to the interests of the society at large, but oftentimes attended also with grievous calamity to the parties themselves, and the innocent offspring of their misconduct; and whereas such practices are a scandal to religion, to decency, and to all good government; and whereas also frequent applications have been made on the part of divers women to the Court of Civil Jurisdiction
- Concubinage.

for the grant of letters of administration of the goods and effects of persons dying intestate, on the sole ground of having lived for a number of years with the deceased in a state of illegal and criminal intercourse : His Excellency the Governor, anxious to promote the interests of virtue (upon which those of society must ever rest) by the encouragement of lawful marriage, to preserve morality and decorum, and to protect the innocent sufferers from the consequences of such practices, and hoping that the frequency of such connexions may be in a great measure owing to an ignorance of the calamity which will probably result from them, and that a more extended knowledge of this circumstance may be the means of checking the formation of such engagements in future, feels it his duty hereby publicly to make known to the inhabitants of this colony that the mere circumstance of illegal cohabitation, for whatever length of time, with any man, confers no valid title upon the woman to the goods and effects of such person in case he should die intestate, and that letters of administration of the goods and effects of persons dying intestate cannot be legally granted to any applicants upon such grounds and under such circumstances as aforesaid ; and that the distressful consequences which must be felt in particular instances from the refusal of such applications can alone be avoided by the formation of honourable and legal engagements.

1810

24 Feb.

Intestate  
estates.Legal status  
of parties.

His Excellency the Governor, aware of the frequency of such illicit connexions, and seeing the shameless and open manner in which they are avowed, to the utter subversion of all decency and decorum, is compelled to express in this public manner his high disapprobation of such immorality, and his firm resolution to repress by every means in his power all such disgraceful connections, and publicly declares that neither favour nor patronage will ever be extended to those who contract or encourage them.

Illicit  
connections.

On the other hand, His Excellency the Governor is anxious to hold forth every inducement to the formation of lasting and virtuous connexions, and to encourage lawful marriage by every possible means, as he is convinced that from such connexions alone can be expected to arise either habits of industry or decency of conduct. Those, therefore, who form such connections, and whose lives and conduct are sober, decent, and industrious, may ever look up to His Excellency for all reasonable encouragement.

Marriages to  
be encour-  
aged.

As a further means of effecting that improvement which he so earnestly wishes, His Excellency cannot forbear to make known his indignation towards those persons who, in defiance of all law and decency, scandalously keep open during the night the most licentious and disorderly houses for the reception of the abandoned of both sexes, and to the great encouragement of dissolute and disorderly habits; and he publicly avows his resolution to give

Houses of  
ill-fame.

1810 strict orders to the officers of the police to report to him the  
 24 Feb. proprietors of all such houses, and to punish such offenders to the  
 utmost extent allowed by law.

Morality and decorum. His Excellency the Governor sanguinely hopes that the measures he is now adopting will not be ineffectual in producing that decorum and morality, the want of which is at once so disgraceful and so detrimental to society; and he trusts that when the inhabitants of this colony shall see that favour and encouragement are to be obtained only by a strict observance of the rules of morality and decorum, they will become sensible of the error and folly of a longer indulgence of habits of profligacy and irregularity.

Given under my hand, at Government House, Sydney, this  
 24th day of February, 1810.

LACHLAN MACQUARIE.

God save the King!

By command of His Excellency,

JOHN THOMAS CAMPBELL,  
 Secretary.

#### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 24th February, 1810.

Education of the young. His Excellency the Governor, being extremely desirous that the rising generation of this infant colony should receive instruction in those principles which alone can render them dutiful and obedient to their parents and superiors, honest, faithful, and useful members of society, and good Christians; and having with much regret seen a number of children about the town of Sydney who appear to be wholly neglected in their education and morals, His Excellency, therefore, for the benefit of such children, is hereby pleased to signify to those parents or guardians who may not have the means to provide instruction for those under their care, that a public charity school will be established at Sydney for the education of poor children; and all such persons as wish to be partakers of the benefits of the institution are directed to give in to the Rev. Mr. Cowper, the chaplain, in writing, their names, places of abode, and occupations, stating whether married or unmarried, prisoners or free, and also the number and ages of their children.

A charity school.

REV. WILLIAM COWPER TO SECRETARY CAMPBELL.  
 (Colonial Secretary's Papers.)

27 Feb.

A school-master and clergyman for Newcastle.

Sydney, 27th February, 1810:

I BEG leave to recommend that Mr. John Eyre [be] stationed at Newcastle as early as may be convenient, in [the] capacity of schoolmaster, and to perform Divine service according to the Established Church at that settlement on the Sabbath days. I conceive it advisable that the Commandant for the time being

have directions to furnish [Mr.] Eyre with apartments for himself and family, and also a house for the school and public worship ; and that the Sunday should be noticed as a day devoted to the noblest interests of man. As Newcastle is a considerable distance from Sydney, and many unforeseen occurrences may take place, of which we can form no just ideas, I would beg leave to intercede that every possible (reasonable) assistance be granted Mr. Eyre, which his peculiar situation may require, for the maintenance of himself and family, having no other dependence.\*

1810

27 Feb.

I am, &amp;c.,

WILLIAM COWPER,

Assist. Chaplain, New South Wales.

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EX-GOVERNOR BLIGH TO COMMANDER PASCO. (Bligh Papers.)

His Majesty's ship Porpoise,

Sydney Cove, Port Jackson,

27th February, 1810.

Sir,

I have received your letter of the 24th instant, inclosing a copy of one from Governor McQuarrie to you, with a list of the officers, their wives and children, of the 102nd Regiment, who are to embark for England in His Majesty's ships, and that as soon as possible the number of privates, with their families, would be made known to you, who were to accompany them. A list of passengers.

In consequence of the late mutinous and tumultuous proceedings in the colony, on which the orders you have received from my Lords Commissioners of the Admiralty are founded, and the commands which I have received through my Lord Castlereagh, His Majesty's Principal Secretary of State, you will receive here-with an order to put yourself under my command on the principle of acting conformable to the rules of the service, but not changing in any degree what their Lordships have directed to be done. Bligh's naval rank.

My Lord Castlereagh, however, having directed me to proceed Home, according to His Majesty's commands, with certain witnesses for the Crown on the occasion alluded to, I have to desire that you will prepare apartments in His Majesty's ships under your command for my accommodation and the witnesses who embark with me, as likewise for such officers and men of the 102nd Regiment who may be selected. Passengers for England.

I am, &amp;c.,

W'M BLIGH.

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LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR MACQUARIE.

Sir, Sydney, New South Wales, 27th February, 1810.

As I am now on the point of availing myself of your Excellency's permission to return to England, I am anxious, before my departure, that no part of my public conduct during my residence in this colony should be withheld from enquiry. Foveaux leaving for England.

\* John Eyre was appointed schoolmaster at Parramatta.

1810

27 Feb.

I therefore take the liberty of again trespassing on your time by making a few observations which I omitted in the letters I have already had the honor of addressing to your Excellency.

I have so fully explained the necessity I believed myself under of assuming the Government of the colony on my arrival from England, that it is needless to recur to that subject.

Foveaux  
explains his  
conduct  
towards  
Bligh.

I feel desirous, however, to state to your Excellency that altho' my enquiries into the causes which led to the arrest of Governor Bligh, and the information I derived from them, left no doubt in my mind of the necessity of that measure, and, consequently, of my receiving the government as handed over to me by Lieutenant-Colonel Johnston, yet I must by no means be understood as approving of the manner in which the affairs of the colony were conducted by that officer after the late Governor's suspension, and I am particularly solicitous of impressing upon your Excellency's mind that my own conduct, while at the head of the Government, was perfectly uninfluenced by his advice or example, or by that of any person supposed to have possessed his confidence, and was the result solely of my own opinions, founded on long experience in the affairs of the colony and a sincere desire of promoting its interests to the utmost of my abilities.

Disapproves  
of John-  
ston's  
methods.

Economy.

Those interests, I thought, would be best secured, and the wishes of His Majesty's Ministers most effectually fulfilled, by my adhering to a system of the strictest economy in the expenditure of the public money, by a watchful controul over the management and issue of the Government stores and stock, and by a faithful appropriation of the labourers of the Crown to purposes of public utility and general advantage only.

Treasury  
bills.

The smallness of the sums for which I drew bills on the Treasury, and the services to which they were applied, will prove my regard to the first of these points.

Abuses at  
the stores.

My success in the detection and punishment of the frauds which have so long and so notoriously disgraced the Commissariat of this colony will show my vigilance in the second.

Public  
works.

And a comparative view of the state of the public works at the period of my arrival in the colony and of my resigning the command will be sufficient to convince your Excellency of my attention to the third.

Foveaux's  
integrity.

Being persuaded that no person at the head of a government can enforce a rigid compliance with the orders established for the protection and due application of the public property, unless he himself sets the example of integrity and disinterestedness, I made it an invariable rule, where ever I commanded (whether at headquarters, or at a dependent settlement) that no part whatever of my domestic arrangements should be supported at the expence of the Crown, and that no portion of the public labour should be employed for my private emolument or personal convenience.

And being convinced that a Governor who becomes the proprietor of private estates, or enters into speculation in commerce, agriculture, or cattle, within the limits of his command, must devote a considerable share of his attention to these pursuits, and that the interests of Government must be proportionately neglected, I took care that no concerns of this nature should withdraw any part of my thoughts from my public duties; and this is an opinion with which I have been so strongly impressed from the earliest period of my being entrusted with a command, that when, at Governor King's solicitation, I accepted the appointment of Lieutenant-Governor of Norfolk Island in the year 1800, altho' then in possession of very extensive estates, and of the most valuable stock of cattle in this settlement, I disposed of them to considerable disadvantage, and have ever since been enabled to devote my whole time and exertions exclusively to the discharge of the public trust which has been reposed in me.\*

1810

27 Feb.

Governors' farms.

Foveaux at Norfolk Island.

On taking the command I found the public buildings of every description in a state of shameful delapidation, or of rapid decay.

Public buildings and roads.

The streets of Sydney were almost impassable, and the principal roads and bridges were, if possible, in a still more dangerous and neglected state.

Notwithstanding the difficulties occasioned by the dispersion of most of the working gangs previous to my arrival, the total disregard of everything tending to public utility or ornament, and the want of a sufficient number of mechanics and overseers, I completed in a very short time, the erection and repairs of several useful edifices, and from the various works executed, I shall particularly mention the jail and the officers' barracks.

Buildings erected by Foveaux.

I finished the very substantial store granary at Parramatta, of which I found the foundation only laid. I erected a new range of brick barracks at Sydney, for which the whole materials were provided under my own immediate inspection.

Barracks.

I suggested the plan, prepared the materials, and made great progress in the elevation of a new store close to the waterside at Sydney, by the completion of which incalculable expence will be saved in the security and preservation of the Government stores and provisions.

Stores.

I had timber cut down, sawed, and conveyed to the dock-yard at Sydney, to the value of upwards of two thousand pounds, which was originally intended to pay the freight of the City of Edinburgh, in which the settlers from Norfolk Island were removed to the Derwent; but the greater part of which was afterwards disposed of by Colonel Paterson to the master of the Admiral Gambier and the remainder to Mr. Simeon Lord.

Colonial timber.

\* The cattle were purchased by Governor King for the Crown at the rate of £37 per head—vol. iv, p. 94.

1810

27 Feb.

Roads and  
bridges.

Material improvements were effected in the streets and high-ways. Bridges were constructed which afford to land carriage and travelling a considerable degree of safety and convenience, and, altho' a vast field still remains open to your Excellency for the improvement of the colony in these and several other important points, yet, were it possible for you to compare its present state with that in which I found it, I am convinced that you could not refuse your acknowledgement that much has been done under my superintendence and direction.

Police  
reforms.

The care of the police having been the object of my very particular and constant attention, I exacted so unremitting a vigilance from every person connected with it, that scarcely any offences escaped detection, the natural consequences of which have been a less frequent commission of crimes, and the maintenance of a degree of tranquillity, security, and subordination which would be entitled to some praise, even in a community composed of persons of more virtuous and orderly habits than could be expected in a society so peculiarly constituted as that of New South Wales, and which I am certain could not have escaped your Excellency's observation on your arrival.

Land grants.

In the grants of land which were made during my command, private friendship and personal regard was laid aside. I was influenced only by the justice of the claims and by the desire of effectually promoting the agricultural interests of the colony and encouraging the extension, ornament, and improvement of the towns, especially of Sydney, which latter consideration seems never to have operated on the minds of former Governors, but which I am certain will not fail of having due weight with a person of your Excellency's superior judgment, experience, and liberality.

Improve-  
ment of the  
towns.

I endeavoured that an equal degree of impartiality and justice should guide me in the pardons and emancipations I deemed it expedient to give.

Impartial  
administra-  
tion of  
justice.

And as I am satisfied that your Excellency will approve of the principal upon which I exercised what I thought to be a power vested in me by the situation I then filled, I trust your Excellency will not deem me presumptuous in soliciting your ratification of the several acts of this nature which occurred during my command.

The returns which I made to the Secretary of State on the foregoing subjects (copies of which have been laid before your Excellency) contain the motives which led to every indulgence and favor I bestowed; but, should you think it needful to make further enquiries, I am confident I can afford most satisfactory explanations.

Grants by  
Paterson.

And here I beg leave to mention that Colonel Paterson, who succeeded me in the command, issued some grants, leases, and pardons at my recommendation, in offering which I was actuated

by the same views as in those I made myself ; and they, therefore, claim an equal right to my interposition with your Excellency for your approval and confirmation of them. 1810 27 Feb

Should any doubt exist in your Excellency's mind with respect to the statements and observations I have now and on former occasions submitted to you, I earnestly request you will avail yourself of the ample means you possess of ascertaining how far they have been accurate and just, and that, previous to my departure, an opportunity will be afforded me of replying to any objections, or refuting any charges that may be urged against my conduct, either while administering the Government of the colony, while afterwards serving as second in command, or while more recently employed under your Excellency's immediate orders and direction. Foveaux courts an inquiry.

I repeat this request with a perfect confidence that the result will prove highly satisfactory to my feelings, and will induce your Excellency to make such representations to His Majesty's Ministers as will secure me from bearing any part of that censure with which they have marked the proceedings of those persons concerned in the arrest and suspension of the late Governor, or of partaking in that blame attached to Lieutenant-Colonel Johnston for the adoption of that measure, or to Colonel Paterson, as Lieutenant-Governor, then within the territory, for giving it the sanction of his approval, which sanction was produced by the former officer, and officially notified to me previous to my landing and taking the command. Foveaux disclaims complicity in arrest of Bligh.

Being aware of the great influence which your Excellency's high reputation, and the confidence so justly reposed in you, must give to your recommendation, I am the more anxious that my character and conduct should be laid before the Secretary of State in that point of view in which, on a close investigation, I flatter myself they will appear to you.\* I have, &c., Asks for Macquarie's support.

J. FOVEAUX.

LORD PALMERSTON TO GOVERNOR MACQUARIE.

Sir, War Office, 1st March, 1810. 1 March.

A communication having been received from the Commander-in-Chief, stating that you have formed a company from such men of the 102nd Regiment as have served twenty years and upwards, but who are still fit for garrison duty, and who, from having large families, are extremely anxious to remain in New South Wales, and from the length of their services would be entitled to their discharge had they returned to England, I have The veteran company.

\* Macquarie sent this letter Home to Viscount Castlereagh with the remark :—" I cannot do less than assure your Lordship that every part of the statements it contains is correct." He suggested the recall of Lieutenant-Governor Collins, and recommended Foveaux as the most desirable officer to succeed him in the command at the Derwent—post, p. 304. See also letters of 6th, 11th, and 18th July, 1811, post, pp. 553, 555, and 556.

1810 the honor to acquaint you that His Royal Highness the Prince  
 1 March. Regent, in the name and on the behalf of His Majesty, has been  
 pleased to approve of a veteran company, consisting of the numbers  
 stated in the margin,\* being attached to the 1st battalion of the  
 73rd Regiment, or to such other corps as may be hereafter stationed  
 in New South Wales, and that the men of this company be clothed  
 and accoutred in the same manner as the 73rd Regiment, with the  
 exception of blue facings, which will distinguish them from those  
 of that corps.

I have, &c.,

PALMERSTON.

#### GOVERNMENT AND GENERAL ORDER.

6 March. Head-quarters, Sydney, 6th March, 1810.  
 Indian corn. IT having been represented to His Excellency the Governor that  
 Indian corn or maize, when gathered too soon, is subject to much  
 danger of spoiling, and that it is also unwholesome and improper  
 as food for men to eat until perfectly ripe and properly dried :

His Excellency the Governor therefore directs that the store-  
 keepers having charge of the public stores in the respective  
 settlements will be particularly careful that they do not receive  
 any but what is perfectly ripe and thoroughly dry ; and also, that  
 they do not receive any greater quantity than what will serve for  
 the consumption for each week, until further orders.

Encouraging And as it is His Excellency the Governor's desire to extend  
 the farmers. the benefit of receiving maize into His Majesty's stores to the  
 cultivators only, without preference or partiality, he directs that  
 the storekeepers at the different settlements do open a list for the  
 purpose of entering the names of such persons as may make  
 application to them, and inserting the quantities they may have to  
 spare, which returns must be made to the Governor's Secretary, to  
 enable His Excellency to judge of the proportion to be taken from  
 such cultivator, in which he will be guided by the muster recently  
 taken, and the quantity each settler had in cultivation.

#### GOVERNOR MACQUARIE TO VISCOUNT CASTLEREAGH.

Sydney, New South Wales,

8th March, 1810.

8 March. My Lord,  
 Macquarie's first letter Home. 1. I avail myself of the return of the brig Experiment to  
 England to do myself the honor of addressing your Lordship,  
 deferring a more detailed account of my proceedings here to be  
 sent by His Majesty's ships Hindostan and Dromedary, which I  
 hope will be able to sail from hence with Governor Bligh and the  
 102nd Regiment in about a month hence.†

Arrival at Sydney. 2. I arrived at Port Jackson on the 28th of December last,  
 after a most tedious passage of seven months and six days from

\* 1 captain, 2 lieutenants, 1 ensign, 5 serjeants, 2 drummers, 5 corporals, 95 privates.

† See the long despatch of 30th April, 1810, post, p. 336.

England; but I have the pleasure to inform your Lordship that, notwithstanding the great length of the voyage, the 73rd Regiment, as well as the crews of His Majesty's ships Hindostan and Dromedary, arrived here in excellent health and good condition, touching on the passage at Maderia, Rio Janeiro, and the Cape of Good Hope for refreshments having proved of the most essential advantages to the health of the troops and seamen.

1810

8 March.

The voyage out.

3. I found Lieut.-Governor Paterson in the command of this Government, Governor Bligh being still at the Derwent.

The situation of the colony appeared to me to require that I should immediately take charge of it; and from the length of time which must intervene before I could apprize Governor Bligh of my arrival, and of his return to this settlement, I judged it most expedient not to wait, conceiving it to be the real spirit of your instructions that I should immediately take charge of the Government in the event of my not finding Governor Bligh at Port Jackson.

Macquarie takes command.

4. I accordingly landed here on the 31st of December, and disembarked the 73rd Regiment on the day following. I had my commission as Governor-in-Chief of this territory read with all due solemnity on the 1st of January, in presence of all the troops and inhabitants of Sydney.

His commission read.

5. In a proclamation, which I have the honor to enclose herewith,\* I expressed His Majesty's gracious intention of replacing Governor Bligh in the Government for 24 hours previous to my taking charge of it, in case I had found him in the settlement at the time of my arrival; and I indulge a hope that my conduct on this occasion will meet with the approbation of my Sovereign.

Proclamation concerning Bligh.

6. There was not a single vessel of any kind in this harbour on my arrival in it that I could dispatch to Governor Bligh; but the first that came in from the Coal River I immediately sent off for the Derwent to inform him of my arrival here, and of my having taken charge of the Government.

7. Previous, however, to my dispatch having reached him, Governor Bligh had been informed, by the arrival of the Albion, whaler, at the Derwent, from England, that I had sailed from thence some time before her for New South Wales. He, therefore, immediately sailed from the Derwent, and arrived here in His Majesty's ship Porpoise on the 17th of January.

Bligh arrives at Sydney.

8. I received Governor Bligh with every mark of respect and attention in my power to show him. He now resides on shore, in the town of Sydney, having, at his own request, a sergeant's guard of the 73rd Reg't on duty at his quarters. He is busily employed in selecting papers and evidences to substantiate the charges which he has to prefer against Lieut.-Col. Johnston and Mr. McArthur, and he has required the attendance of no less than sixteen persons to appear as witnesses on the trial. From the

Resides on shore.

Collecting evidence.

- 1810  
8 March.  
Witnesses.
- great expence which would attend removing so many persons to England, and the great inconvenience and loss which must result to themselves and their families from their long abvance, I have strongly recommended to Governor Bligh to compress his evidence to a smaller number, which I hope he will accede to. I have taken the opinion of Mr. Bent, the Judge-Advocate, as to the legality of the measure, and I find I cannot compel persons to go Home who are not immediately in the service of Government.
- Officers reinstated.
9. In conformity to your Lordship's instructions, I have displaced all those persons who had been appointed to offices since the arrest of Governor Bligh, and replaced those gentlemen who had formerly held them.
10. The commission of Lieutenant-Governor O'Connell, and that of Mr. Bent, the Judge-Advocate, were read and published at the same time with my own.
- Richard Atkins.
11. Mr. Atkins, the late Judge-Advocate, has received orders to return to England as one of Governor Bligh's evidences; but I am sorry to say that, from his very bad state of health, it is not likely he will survive the departure of the Hindostan and Dromedary.
- Recall of the 102nd.
12. I have issued, some time ago, the necessary orders for the 102nd Regiment to hold themselves in readiness to embark for England as soon as the reliefs of the detachments at the different out-settlements take place. The reliefs for these places were sent as soon as I could procure vessels for their conveyance, and I expect the detachments of the 102nd Reg't will arrive here from the two most distant settlements, namely, Norfolk Island and Port Dalrymple, in the course of a fortnight hence.
- Bligh's papers.
13. The room in Government House in which Governor Bligh's papers were said to be was sealed on my arrival here. It has since been opened by himself, but no papers of any importance were found in it, and I understand they were all taken to England by Lieu't Col. Johnston and Mr. McArthur. Such other papers and books as belonged to the public offices, or private individuals, and of which they were deprived on the arrest of Governor Bligh, have been called for and restored to their respective owners.
- Decisions and grants revoked.
14. The trials which took place during the usurpation have been annulled by public proclamation. The grants of lands and of stock, and leases, have been revoked in the same manner, and also all pardons and emancipations granted to convicts. I enclose for your Lordship's further information copies of the proclamations I have deemed it my duty to issue on these important points.
- Trade and agriculture.
15. On the subjects of the trade of the colony, its revenue, Government farms, and Government stock, I shall have the honour of fully communicating my sentiments to your Lordship in my next dispatch.

16. On my arrival I found the colony in a state of perfect tranquillity, but in a great degree of anxiety for the long expected arrival of a new Governor. 1810  
8 March.

17. I found the public stores almost entirely empty of dry provisions, and which had been the occasion of very serious alarm and apprehension for some time before my arrival. This very reduced state of His Majesty's stores had been principally occasioned by the last dreadful and calamitous inundation of the Hawkesbury, which had destroyed the whole of the crops of that fertile district—an event not uncommon, and which has frequently involved the inhabitants in the deepest misery and distress. The public stores empty.  
Hawkesbury floods

18. There being no certain prospect of relief from any quarter, to supply the present wants of the colony, I immediately ordered 300 acres of the Government farm to be prepared for a crop of early potatoes and wheat, intending to put the troops and all other persons victualled by the Crown upon a reduced ration; but fortunately, on the very day that I had fixed for resorting to this very unpleasant expedient, the ship *Marian*, and in a few days after her the brig *Experiment*, arrived to our relief with contract wheat from Bengal. Short of supplies.

19. The only measure which has hitherto occurred to me as capable of affording any real protection to the settlers at the Hawkesbury, is that of removing their houses, stock, and farm-yards, to the high ground in the neighbourhood of their farms, on the banks of the river, by which means their lives and property would be safe from the fatal effects of the inundation, leaving only the crop on the ground to the influence of the river. As soon as the Hindostan and Dromedary are dispatched, it is my intention to visit the Hawkesbury, when I shall take measures for forming townships on the high grounds in the vicinity of the river, and removing the settlers into them as speedily as possible.\* The Hawkesbury settlers.

20. The ship *Anne* arrived here from England on the 27th ultimo, having a detachment of the 73rd Reg't, and 197 male convicts on board. They have been well treated on the voyage, and arrived in good health. Men are very much wanted in the colony, the settlers being all in distress for people to carry on their agricultural pursuits. I have distributed the greater number of the last arrived convicts among the settlers here, and I send sixty of them to the Derwent for the use of the settlers there, reserving only a few of them who are mechanics for being employed in carrying on the Government public works at Sydney. Arrivals from England.  
More male convicts required.

21. The situation of the colony requires that as many male convicts as possible should be sent out, the prosperity of the country depending on their numbers. Female convicts are, on the other hand, as great a drawback as the males are useful. Female convicts a drawback.

\*See Government and General Order, 15th December, 1810, post, p. 468, in which Macquarie marked out the townships of Windsor, Richmond, Pitt Town, Wilberforce, Castlereagh, and Liverpool.

- 1810  
8 March. 22. No assignment of the convicts arrived in the *Anne* has been received. I therefore request it may be sent by the first opportunity.
- Foveaux returning to England. 23. This dispatch will be delivered to your Lordship by Lieut Colonel Foveaux of the 102nd, to whom, as well as to Lieutenant Finucane of that corps, I have granted permission to return to England on the brig *Experiment*, without waiting for the sailing of the regiment.
- Macquarie's high opinion of Foveaux. 24. I take the liberty to recommend Lieut Col. Foveaux to your Lordship's protection and good offices, as an officer of high merit, and as one who has rendered most important services to this colony; and I beg leave to refer your Lordship to him for any information you may wish to obtain respecting the present state of this country. Ever since my arrival here, I have received every possible attention and assistance from him, as well as most useful advice and important information, to guide me in administering the various duties of this Government.
- Defence of Foveaux. 25. In justice to Lieut.-Col. Foveaux, I cannot omit mentioning to your Lordship that, in the trying and very critical circumstances he found the colony on his arrival from England, it being then commanded by Lieut.-Col. Johnston, whose assumption of it Colonel Paterson had approved of, I am of opinion he could not with safety have adopted a different line of conduct from that he pursued.
- Foveaux's administration. 26. Since that period he has exerted himself to the utmost of his power, in every way possible, to promote the interests of the colony; and I am happy to assure your Lordship that I found the public works, and every other department of Government under his control, in a state of great improvement, and conducted with a degree of regularity, economy, and industry that reflect the greatest credit on him.
- A model Governor. 27. I am sure that I do not exceed the truth when I affirm that I have never yet met with any officer, in the course of upwards of thirty years' service, that is more eminently qualified for forming and conducting to maturity and perfection any infant colony committed to his charge.
- Lieut.-Governor Collins. 28. From the circumstances which have recently taken place at the Derwent, and of which you will be fully apprized by Governor Bligh, I conclude your Lordship will deem it expedient to recall Colonel Collins, and to supersede him in the government of that settlement; in which event I beg leave most respectfully to recommend Lieut.-Colonel Foveaux to your Lordship as Colonel Collins's successor, and as a very fit person to govern that settlement.
- His successor. 29. Lieut.-Col. Foveaux having spent twenty years of his life in the different parts of this territory, has acquired a great deal of most useful local knowledge, and is, consequently, better

qualified than any other person I know for improving the settlement of Hobart Town. I, therefore, earnestly hope your Lordship will be pleased to appoint him Lieut.-Governor of it. 1810  
8 March.

30. I take the liberty to enclose for your Lordship's further information a copy of a letter the Lieut.-Colonel has addressed to me, and, in justice to him, I cannot do less than assure your Lordship that every part of the statements it contains is correct.\* Foveaux's  
letter.

31. Finding on my arrival here that Norfolk Island had not been entirely evacuated, I have sent a subaltern officer, with a detachment of thirty soldiers of the 73rd Regiment, thither to relieve the party of the 102nd Regt. now there, and for the protection of that settlement until I receive your Lordship's further instructions respecting it. I lately received accounts from the officer commanding at Norfolk Island, by a vessel which touched there, informing me that the settlement was in a state of the greatest prosperity; but, notwithstanding this favourable report, it is my opinion that that settlement should be wholly withdrawn, as its usefulness is very doubtful, and the expence to Government of retaining it very great. On this head, I beg leave to refer your Lordship to Lieut.-Col. Foveaux, who is more capable than any other person of giving a correct account of the island, and of enabling your Lordship to form a just estimate of its utility in a public point of view. He commanded there for some years, and must, therefore, be fully competent to afford your Lordship every information you can wish for respecting it. Norfolk  
Island.  
  
Macquarie  
in favour of  
its abandon-  
ment.

32. On the subjects of the settlements on Van Diemen's Land, I shall be better able to give your Lordship my opinion in my next dispatch, after hearing from Lieut.-Governor Collins at the Derwent, and from Major Gordon, of the 73rd Regiment, whom I have sent to command at Port Dalrymple; but from the information I am already in possession of, I conceive it will be highly proper to make Port Dalrymple a dependency on Hobart Town, the latter being doubtless the most important and useful settlement of the two. Van  
Diemen's  
land.

33. I have lately had a general muster taken by the Lieut.-Governor of the whole of the inhabitants of this settlement of every description, together with an account of their flocks and herds, and lands in and out of cultivation, the result of all which I shall have the honor to transmit to your Lordship in my next dispatch. General  
muster.

34. I am sorry to inform your Lordship that I shall be under the necessity of putting the Crown to a very considerable expence in the erection of barracks and other essentially necessary public buildings, those I find here being in a rapid state of decay, with the exception of the few built by Lieut.-Col. Foveaux. There are Barracks  
and public  
buildings in  
disrepair.

\* The letter will be found on pp. 295-9, ante.

† Captain Piper.

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only barracks here at present for about five hundred men at most, very few barracks for officers, and the soldiers' barracks, with the exception of a new one lately built by Lieut.-Col. Foveaux for 200 men, are so very much decayed that it would be an useless expence to attempt to repair them. I shall, therefore, immediately set about building new substantial ones to contain 1,000 men, including the one already finished, above alluded to.

A new  
hospital  
required.

35. There will be an absolute necessity for building a new general hospital as soon as possible, the present one being in a most ruinous state, and very unfit for the reception of the sick that must necessarily be sent to it, of which there are on an average seldom less in it than between seventy and eighty men, women, and children.

Soldiers'  
quarters.

36. Granaries and other public stores, as well as barracks for the reception of the male and female convicts on their first arrival in this country, are very much wanted, and which must be built as soon as the barracks for the officers and soldiers are finished. At present I am obliged to keep the 73rd Regt. encamped at a convenient distance from the town, and one half of the regiment must still remain in that situation, even after the departure of the 102nd Regt., for want of room in the barracks.

A Govern-  
ment  
architect,

and  
surveyor.

37. It would be highly necessary and very desirable that a Government architect should immediately be sent out to this colony to plan and superintend the erection of all public buildings, and I respectfully entreat your Lordship will send out a well qualified person of this description to the colony as soon as possible. A good surveyor is also much wanted; and if the late Surveyor-General, Mr. Grimes, is not permitted to return to his duty, I earnestly request your Lordship will be so good as to appoint and send out a proper successor to him equal to the discharge of the important duties of this office.

The  
Principal  
Surgeon.

Wentworth.

Redfern.

38. In the event of Principal-Surgeon Jamison not being permitted to return again to his duty as such in this colony, I beg leave to recommend that D'Arcy Wentworth, Esqre., the senior Assistant Surgeon on this establishment, may be appointed Principal Surgeon of the civil medical department of the colony. Mr. Wentworth is a gentleman of considerable professional abilities, extremely attentive and humane in his attendance and practice, and in every respect well qualified for being placed at the head of the medical department here. I also beg leave to recommend that Mr. William Redfern, who has for some time past been acting as Assistant Surgeon on the civil medical establishment of this colony with great credit to himself, and advantage to the public service, may be confirmed in that situation by a commission from His Majesty.\*

\* These recommendations were approved of. See Secretary of State's reply of 20th July, 1811, *post*, p. 661.

39. As the commerce and trade of the colony are likely to increase and keep pace with its population, it is desirable that there should be a regular Naval Officer, totally unconnected with trade himself, appointed to this situation from Home. Mr. Campbell, a very respectable merchant here, and who was appointed by Governor Bligh, is at present acting as Naval Officer; but being a merchant, in my opinion, is incompatible with his holding such office under Government. I therefore request that some respectable gentleman, properly qualified for this office, may be sent out to fill it, with a suitable salary, under an express condition of not being concerned in trade.

1810

8 March.

The Naval Officer.

40. The service of the colony is at present much obstructed and retarded for want of small craft, the only two Colonial vessels belonging to Government that have hitherto carried on the service of it being now so much out of repair as to be entirely useless. The Porpoise (King's ship) is old and constantly in want of repairs; is consequently very expensive to Government, and of very little use to this colony. I therefore most respectfully submit that no ship of the latter description should be at all kept here, and that instead thereof there should be two brigs—one of 200 tons and the other of 150 tons burden—built in England, and sent out hitherto as soon as possible, to be considered as entirely Colonial, under the immediate orders of the Governor, and not subject to the control of the Admiralty. These two vessels, with one of a still smaller size, which is now upon the stocks here, will be fully equal to perform all the services of the colony, inclusive of surveying the coasts and harbours, and the whole expence of this establishment will fall short of that of one ship of war commissioned by the Admiralty. I, therefore, earnestly and strongly recommend the adoption of the measure now submitted to your Lordship, and beg to refer you to Lieut.-Colonel Foveaux for further information on this point.

Colonial vessels.

Description of vessels required.

41. I have great pleasure in reporting to your Lordship that during the short period I have already administered the affairs of this colony, I have derived every aid and assistance I could possibly wish for from Lieut.-Governor O'Connell and Mr. Bent, the Judge-Advocate.

Macquarie's lieutenants.

42. As it is essentially necessary for the improvement of the country in general, and the encouragement of the settlers in their agricultural pursuits in particular, that the Governor and Lieut.-Governor should alternately and frequently visit the different districts and out-settlements of this colony, and as the present salary of the Lieut.-Governor is only £250 per annum, an allowance very inadequate to his unavoidable additional expences in discharging the duties annexed to his office, I take the liberty most respectfully to submit, and most earnestly recommend, that his salary may be augmented to five hundred pounds per annum. The reduction

Lieutenant-Governor's salary.

1810  
8 March.  
—  
Proposed  
increase.

that will necessarily take place in the two establishments of Norfolk Island and Port Dalrymple shortly will admit of the proposed addition to be made to the salary of the Lieut.-Governor without increasing the amount of the present estimate of the civil establishment of this colony, granted annually by Parliament. I, therefore, hope and trust your Lordship will approve of and direct the proposed increase of salary for the Lieut.-Governor to take place from the first of January last, being the day on which his commission, as such, was read here.

Macquarie's  
appointment.

43. Before I conclude this, my first official letter to your Lordship after taking charge of this Government, permit me to express my grateful acknowledgements to your Lordship for the appointment I have now the honor to hold, and to assure you that, in as far as my judgment and abilities enable me, I shall exert both in the fulfilment of the trust reposed in me, with the hope that in the wide field for improvement here my services may not be unimportant, and that they will ultimately meet with the approbation of my Sovereign and His Majesty's Ministers, and thereby confirm the opinion you did me the honor to form in my favor.

I have, &c.,

L. MACQUARIE.

EX-GOVERNOR BLIGH TO SECRETARY POLE. (Bligh Papers.)

His Majesty's ship Porpoise,

Sir, Sydney, New South Wales, 8th March, 1810.

Bligh's  
despatches.

I have the honor to write to you, for the information of my Lords Commissioners of the Admiralty, in continuation of my last despatches,\* which I sent by the Elizabeth (a whaler, Alex. Bodie master) in the beginning of August last, that after waiting with much anxiety at the Derwent until the 3rd January, I left that place and arrived here in His Majesty's ship Porpoise on the 17th following.

Collins and  
Bligh.

Colonel Collins's conduct continued highly mutinous to the last; but he thought it advisable not to continue to resist my watering the ship at Hobart Town, although he issued proclamations and General Orders against me, and prohibited any intercourse with His Majesty's ship to the time of our sailing.

Men-of-war  
at Sydney.

On my arrival here I found lying in the Cove His Majesty's ship Hindostan (Captain Pasco), and the Dromedary, storeship. They unfortunately passed within a few leagues of Stormy Bay, and proceeded strait to this place, where they arrived on the 28th December, with Governor McQuarrie and the 73rd Regiment, who are now encamped about two miles from the town, and the 102nd Regiment doing duty here, but ordered to be in readiness to embark for England as soon as possible.

Captain Pasco presented his orders to me, and some days after one directed to the Senior Officer, which I apply to myself, and shall act conformably to fulfil their Lordship's commands.

\* Ante, p. 201.

Although it is highly necessary for the Porpoise to return to England, and I had given an order to Captain Porteous to that intent before I received the one directed to the Senior Officer, nevertheless, as their Lordships' orders are that one ship should remain here I shall, direct her commander to do so, unless necessity requires the contrary; and as I conceive it to be understood by their Lordships, from His Majesty's Secretary of State's orders to me to depart from this territory, that I am to proceed Home, I have given an order to Captain Pasco to put himself under my command, together with a letter (copies of which I enclose\*) assigning the necessity of my proceeding on the Hindostan.

1810

8 March.

The Porpoise to remain at Sydney.

\* \* \* \* \*

A very great calamity had nearly taken place yesterday. A fire was discovered in the spirit room of the Dromedary, which, but for the exertions of Capt. Pasco, Lieutenant Poore, and Mr. Eldridge, midshipman, whom he recommends, would have terminated in the destruction of that ship.

The Dromedary on fire.

\* \* \* \* \*

I am, &c.,

W<sup>M</sup>. BLIGH.

#### EX-GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.

My Lord, Sydney, New South Wales, 9th March, 1810. 9 March.

1. After waiting very anxiously at the Derwent, expecting succours from England, until the 3rd of January, I sailed from thence and arrived here on the 17th, where we found His Majesty's ship Hindostan, and Dromedary, store-ship, who unfortunately had passed the Derwent, where I was at anchor, within a few leagues.

Bligh sails from Hobart.

2. Governor Macquarie, who had taken the command of the colony on the 1st January, sent me your Lordship's dispatches, accompanied with proclamations he had issued on the occasion, and I beg leave to express my thanks to your Lordship for the honor you have done me in conveying His Majesty's gracious sentiments to me on the rebellion.

Despatches and proclamations.

3. By the proclamations which I enclose, your Lordship will observe I became only Commodore in my naval character, His Majesty's commands not being literally fulfilled for the reasons Governor Macquarie states in his proclamation of the 1st of January.† I also send copies of his letters to me on my arrival, as like a copy of my letter for the Commander-in-Chief of the succour who might arrive from England, which was delivered by Mr. Commissary Palmer to Governor Macquarie, inclosing my proclamation on my leaving Port Jackson to proceed to the Derwent.

Bligh's rank in the colony.

\* The letter to Captain Pasco which formed enclosure No. 2 was dated 27th February, 1810. It will be found on p. 295, ante. The Order (probably a formal one) is not available.

† Ante, p. 252.

1810  
9 March.  
—  
Macquarie's  
reception  
of Bligh.

4. We had no sooner anchored here than I received congratulations from Governor Macquarie and all my friends, and the necessary orders were given for my reception on the next day.

5. I accordingly landed in the forenoon; to the great satisfaction of the people, expressed by their cheering, and the wished-for communication took place between Governor Macquarie and myself.

Paterson  
and  
Foveaux.

6. I found in the General Orders that Colonel Paterson was to have the same compliment\* as a Brigadier-General is entitled to from all guards in this territory; that Lieut't-Colonel Foveaux was appointed to command the troops at head-quarters at Sydney and to give such orders as he might judge necessary for conducting the garrison duties and details, and to be received by all guards with the same compliments as are due to a colonel in the Army, and also that he was to carry on all public works, and that all artificers and labourers were directed to obey such orders and directions as he might find it necessary to issue to them. The 73rd Regiment (except a detachment at Parramatta) are encamped about 2 miles out of town, the 102nd Regiment remaining in Sydney.

Macquarie's  
friendliness  
to Foveaux.

7. I told Governor Macquarie I was surprized at Lieut't-Colonel Foveaux being employed in offices of such trust and confidence, who had been so much in the habit of persecuting the loyalists and myself when his Commander-in-Chief; however, as it appeared not inconsistent with the Governor's ideas, I did not urge my representations further.

Foveaux  
charged  
with  
mutiny.

8. Although the opportunity which now offers is not direct, and I hope to be at Home equally soon, yet as Lieutenant-Colonel Foveaux goes in the vessel called the Experiment I was induced to give your Lordship this sketch of my proceeding, and to charge him with injurious and mutinous proceedings, as likewise disobedience of my orders by continuing my confinement and causing His Majesty's ship Porpoise to sail for Port Dalrymple from under my command, as stated in my former dispatches; also opening and retaining your Lordship's letters to me.

Lieutenant  
Finucane.

9. Lieutenant Finucane, of the 102nd Regiment, accompanies Lieutenant-Colonel Foveaux—he was his secretary, and acted in that capacity to Colonel Paterson—and has been a particular character in all their illegal proceedings.

10. I conversed with Governor Macquarie on Colonel Foveaux going Home separate, and prior to the 102nd Regiment; but I could not succeed in preventing it, as he informed me he was not deviating from the principles of his instructions to send the regiment to England.

Trial of the  
mutineers.

11. Your Lordship's orders to me I fully communicated to Governor Macquarie, who I conceived might have had fuller

directions how to proceed with respect to the trials; but he told me he had not, excepting that Mr. McArthur was to have been tried by a Criminal Court had he been here, and Mr. Atkins to be sent Home. 1810 9 March.

12. Neither my commission nor papers which I was deprived of are to be found, nor any of the documents which your Lordship refers me to as belonging to Major Johnston's letter—a letter of declamation and falsehood. Bligh's papers.

13. Under the existing circumstances, the Judge-Advocate not having determined finally what is to be done with respect to bringing the persons here to trial who have been assisting in the subversion of my Government, I regret extremely that I cannot inform your Lordship of any proceedings against them. It at present appears that the Judge-Advocate is of opinion that high treason does not attach to this territory, and doubts and difficulties have arisen from this circumstance as to what other charge an indictment can be laid. He has now a case before him which I hope will be the last I shall have to put to him; and on his opinion I have rested everything that is necessary on my part to support the dignity of the Crown until I arrive in England, which I propose to do in the Hindostan. A legal difficulty.

14. The ardent wish of the people to express their indignation at the assertion of Major Johnston that it was they who caused him to place me under arrest, and also to show their attachment to my person by an address, induced them, according to the present orders (for committee to present a requisition by the means of the Provost-Marshal to the Governor to be permitted to call the people together for such a purpose) to require the Provost-Marshal to present a requisition. The Provost-Marshal presented the requisition; but as the Governor wishes it to be deferred until nearer our departure, they have done so to make it agreeable to his desire. Proposed public address to Bligh.

15. My last dispatches were sent to your Lordship by the 1st of August by the Elizabeth, a whaler, Alexander Bodie master, from the Derwent, which contain the proceedings there up to that time. The same enormities were continued; the poor, loyal settlers suffered much for their principles and bringing me supplies, and the most rebellious proclamations and General Orders were printed. One of them, dated the 6th December, 1809,\* another of the 8th December,† as also one of the 1st January, 1810,‡ I enclose for your Lordship's information. Bligh's letters to Castlereagh.

16. I have informed Governor Macquarie of these circumstances, and of the conduct of Colonel Collins, together with the distresses of the poor Norfolk Island settlers. Their case deserves the most serious consideration, and the whole of the inhabited Norfolk Island settlers.

\* Ante, p. 243.

† Ante, p. 244.

‡ Ante, p. 254.

1808  
9 March.

part of the territory requires the utmost wisdom and vigilance to restore it to the happy state which it was advanced to at the beginning of January, 1808.

17. I hope we shall sail from hence in the course of next month, and that my conduct in the arduous concerns I have had to execute and close will be approved of by my King and country.

I have, &c.,

W<sup>m</sup> BLIGH.

GOVERNOR MACQUARIE TO VISCOUNT CASTLEREAGH.

12 March.  
The capture  
of the Boyd.

My Lord, Sydney, New South Wales, 12th March, 1810.

1. Since closing my dispatch of date, the 8th inst.,\* a Colonial ship named the King George, employed in the seal-skin and oil trade, arrived here from off the coast of New Zealand, and brings the melancholy accounts of the loss and capture of the ship Boyd by the New Zealanders, under their chief, Tippahee,† and the massacre of the whole of her crew and passengers, with the exception of two women and a child,‡ who escaped from these merciless savages.

Captain  
Chase's  
account.

2. I do myself the honor to enclose for your Lordship's further information the deposition and narrative of Mr. Chase, the master of the King George, detailing the circumstance of this unfortunate and melancholy event.

3. The Boyd came out here with convicts from Ireland about six or seven months ago, and was returning to England by way of New Zealand, with intention to carry Home some timber and spars from that country, having a valuable cargo of skins and oil from this colony on board besides.

Treacherous  
natives.

4. It will be necessary that the South Sea whalers should be cautioned, previous to their sailing from England, to be very vigilant and guarded in their intercourse with the New Zealanders, as well as with all the natives of the South Sea Islands, who are in general a very treacherous race of people, and not to be trusted.

Proposed  
settlement  
at New  
Zealand.

5. A proposal was some time since made to me by Mr. Simeon Lord, and other respectable merchants here, of forming a settlement at their own expence on the northern island of New Zealand, for the purpose of collecting the flax plant of that country, and manufacturing it into cordage and canvas for the use of this colony, and with the hope of ultimately extending their trade to the service of the British Navy; but claiming, in the event of the undertaking proving successful, and of its being approved of by the British Government at Home, the exclusive privilege of this branch of trade for fourteen years. To this proposed speculation I have given my sanction, promising to recommend it to the favorable

Macquarie  
favours the  
proposal.

\* Ante, p. 300.

† See foot-note, ante, p. 260, and post, p. 180.

‡ The survivors were a woman with her infant in arms: a lad named Davies, about 15 years of age; and the infant daughter of Mr. Commissary Broughton.

consideration and patronage of His Majesty's Ministers, which I now do in the strongest manner, conceiving, as I really do, that the undertaking is likely ultimately to succeed, and consequently to prove of great national benefit. I have not pledged myself to the projectors of this scheme that they are to obtain the exclusive privilege of this branch of trade for fourteen years, but only that I would submit their application to His Majesty's Ministers. I think, however, that the privilege they solicit is in itself reasonable, and therefore beg to recommend it may be granted to them.

1810

12 March.

6. Notwithstanding the recent melancholy occurrence already adverted to, in regard to the capture of the Boyd and the massacre of the crew and passengers of that ship, the projectors of the flax speculation on New Zealand still intend to prosecute their design; and according send a superintendant with a party of men hired for this purpose, on board the brig Experiment, to New Zealand, where that vessel is to remain long enough to give them time to collect a quantity of dried flax to be sent Home for the inspection of His Majesty's Ministers, as a specimen of the quality and of the success that may be expected to result from such an undertaking. I shall transmit the correspondence that has taken place with the projectors of this speculation to your Lordship in my next despatch.

Cultivating  
New Zealand  
flax.

7. There being no other circulating medium in this colony than the notes of hand of private individuals, and this practice having already been productive of infinite frauds, abuses, and litigation, I am very apprehensive it may at some future period occasion a general bankruptcy, and prove ruinous to individuals as well as to the interests of the colony unless some remedy is speedily applied to this growing evil. I shall, therefore, in my next despatch communicate my sentiments more fully to your Lordship, and take the liberty to suggest some plan to remedy this ruinous and alarming practice that has so long prevailed here. In the meantime I shall only take the liberty to suggest that the same plan of the Cape Colonial Bank, if adopted and approved of by His Majesty's Ministers, would answer equally well here. I shall, therefore, in my next despatch strongly recommend the adoption here of the same system of banking and circulating medium, as is now so successfully and beneficially pursued at the Cape of Good Hope.

Notes of  
hand.A dangerous  
system.

8. I have the honor to acquaint your Lordship that since the date of my last despatch the relief from Port Dalrymple has arrived here, and I hope the vessel having on board the detachment of the 102nd Regiment from Norfolk Island will very soon make her appearance also.

Movements  
of the  
soldiers.

9. I beg leave to report to your Lordship that I have appointed John Thomas Campbell, Esq., to be my Secretary. This gentleman I met with for the first time at the Cape of Good Hope on my way hither. He was there very strongly recommended to me

Campbell  
appointed  
secretary.

1810 by Lord Caledon and some other friends, and I have every reason  
 12 March. to be highly pleased with his abilities, conciliating manners, and  
 Antill, gentlemanly conduct. I also beg leave to report that I have  
 aide-de- appointed Captain H. C. Antill, of the 73rd Regiment, to be my  
 camp. aid-de-camp, and Cap'n T. S. Cleaveland, of the same corps, to  
 act as Major of Brigade to the troops serving in this territory.  
 I trust your Lordship will approve of those appointments, and  
 authorize me to draw on the Lords Commissioners of the Treasury  
 for their respective salaries and allowances.

I have, &c.  
 L. MACQUARIE.

[Enclosure.]

#### LOSS OF THE SHIP BOYD.

Sydney, 12th March, 1810.

Capture of In presence of Mr. Robert Campbell, Naval Officer and Magis-  
 the Boyd. trate, who was directed by His Excellency Governor Macquarie to  
 investigate the information received of the loss of the ship Boyd  
 on the coast of New Zealand, Samuel Rodman Chace, master of  
 the ship King George, of this port, declares : That on the 19th  
 day of February last (by log) he fell in with the ships Ann and  
 Albion, whalers, off Cape Brett on the coast of New Zealand, and  
 that he went on board of the Ann about 8 o'clock in the evening,  
 when Cap'n Gwynn informed him that both ships had left the  
 Bay of Islands the day before, where the natives informed him  
 that the ship Boyd was taken at a port about 30 miles to the  
 northward called Wangarowe, and that every person belonging to  
 the ship (except two women and a child\*) where massacred. That  
 when this happened there was two boats ashore from the ship  
 procuring spars, and those of the ship's company who were on  
 board were at the time busily employed in overhauling and  
 repairing the rigging.

Massacre of her crew.

Circum- There had been no previous disturbance with the natives, who  
 stances of appeared very friendly, but at the time they rushed on board the  
 the attack. Boyd their war weapons were concealed under their mats, and  
 that after killing all the men on deck they ordered those who had  
 gone aloft to cut the sails from the yards, and that those men were  
 afterwards carried on shore, where, after cutting off their legs and  
 arms, they were roasted.

Who were the ring-leaders ?

That Capt'n Gwynn likewise informed the said Samuel Rodman  
 Chace that Prince Mattarra, who had lately arrived from England,  
 was the principal leader, with another chief ; that Tippo-hee, when  
 the attack was made on the ship, was in his canoe at some distance ;  
 but after the ship was taken he went on board to take possession,  
 when, after plundering her, she was set fire to and sunk, the tops  
 then remaining above water ; that all which he has declared was

\* The actual number saved were one woman, a lad of about 15 years of age, and two infants.

read to him by Capt'n Gwynn from a written paper, and that he, the said Chace, was prevented from taking a copy of it from being anxious to get back to his ship, the night being dark. 1810  
12 March.

That when he fell in with the above ships it was his intention to go into the Bay of Islands; but, being afraid of the consequences, he gave the natives who came on board the ship in a canoe off the East Cape a whaleboat to go on shore with another New Zealander, who had been in the King George for near three years, to whom he gave a letter addressed to the master of any ship that might arrive, giving the above intelligence and apprising him of the danger; and he thinks this native could be depended on for delivering it. A warning letter.

Capt'n Gwynn also informed him of the ship Mary, Capt'n Simmons, having foundered off the East Cape, but that the crew was saved by the other ships in company.

S. R. CHACE.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney,

Thursday, 15th March, 1810. 15 March.

IN order to give all parties concerned as much time as possible to arrange and settle all their public and private concerns in the colony, His Excellency the Governor deems it proper to announce thus early in Public Orders, that the 102nd Regiment will positively embark on the 10th of the next month of April on board His Majesty's ships Hindostan and Dromedary, and sail on the day following for England, wind and weather permitting. Embarkation of N.S.W. Corps.

The Commissary and all other heads of public departments are immediately to prepare the several accounts and returns as usually sent to His Majesty's Ministers and to the public offices at Home, so as to be ready for transmission by the ships now under dispatch. Official returns.

All persons who have any claims upon Government for grain, meat, &c., &c., received into the King's stores, either at head-quarters or at any of the dependent settlements, are directed to send them immediately for payment to the Commissary; and no attention will be paid hereafter to their demands unless sent in for payment previous to the 31st instant. Claims on Government.

The Commissary must settle and close all accounts connected with that department up to the 31st day of the present month, inclusive, as soon as possible.

The 102nd Regiment is directed to be under arms on their own parade at 7 o'clock on Monday morning, the 19th instant, when the Commander of the Forces will inspect such men of that corps as have already volunteered for the 73rd Regiment. Those men who are approved of will be incorporated with and join the 73rd Regiment on the 25th instant. Inspection of troops.

1810  
15 March.  
An invalid  
company.

It being the intention of the Commander of the Forces to form an invalid company for the service of the colony, he directs that such old soldiers of the 102nd Regiment as have served twenty-one years, and who may be desirous of remaining in this country in preference to going Home with the Corps, may immediately give in their names to the Adjutant. The Commander of the Forces will inspect them on Monday morning, and in case a sufficient number turns out the invalid company will be formed on the 25th of the present month.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House,  
Sydney, 16th March, 1810.

16 March.

Clothing  
from the  
stores.

The Commissary will issue to-morrow morning at 7 o'clock a suit of slop cloathing (as hereafter specified), as far as the quantity in store will admit of, to the following descriptions of persons, viz, the constables, overseers, Government mechanics, the Government working gangs, boatmen, stockmen, and gardeners, now at Sydney. Each person to receive the following slop cloathing :—1 blue waist-coat with sleeves, or a military jacket ; 1 pair duck trousers, or 1 duck frock ; 1 white or 1 cheque shirt ; 1 pair of shoes ; 1 blanket ; 1 forage cap ; 1 pair of stockings ; 2 pair of socks ; 1 yarn cap, and 1 stock.

#### SIR HENRY B. HAYES'S MEMORIAL. (Colonial Secretary's Papers.)

18 March.

Vaucluse, 18th March, 1810.

To His Excellency Governor Macquarie.

The respectful Memorial of Sir Henry B. Hayes,—

Most dutifully sheweth :—

Sir H. B.  
Hayes com-  
plains of  
ill-treatment.

That your memorialist, amongst many unmerited persecutions which he has suffered in this country by means of dark and malignant influence and misrepresentations, humbly begs leave to lay before your Excellency the following instances of oppression which have been practised against your memorialist since the removal and arrest of the late Governor Bligh, and which, as they seem to have been set on foot from no other motive or cause but from memorialist's having manifested a sincere and uniform resolution to preserve his faithful allegiance and attachment to the representative of his Sovereign, memorialist trusts he may submit to your Excellency as just matter of complaint.

Arrested  
when dining.

Your memorialist, on the 16th of March, 1808, whilst at dinner with some gentlemen, commanders of vessels then in the harbour, was arrested by Redmond, the Chief Constable, assisted by some

other constable, and hurried to the Hospital Wharf, and forcibly put on board the *Recourse*, then lying there, bound to the Coal River. Your memorialist required to know by what authority this outrage was committed, but could obtain no other answer but that it was Captain McArthur's pleasure, and that was sufficient authority for the act; nor was your memorialist suffered to prepare a single article of comfort or necessities for the voyage, or even to send for a change of apparel, but that evening the vessel sailed down the harbour.

1810

18 March.

That your memorialist, on his arrival at the place of his destination, received many marks of liberal attention, as well from Mr. Throsby, who then had the command, as from his successor, Lieutenant Villiers; and memorialist is happy to pay his tribute of gratitude to those gentlemen for their delicate and humane commiseration of his circumstances and situation.

Well treated  
at  
Newcastle.

That at the expiration of about eight months memorialist was recalled by an order from Lieutenant-Colonel Foveaux, who had then arrived in this country, and took on himself to administer the Government, in pursuance of which order memorialist arrived at Sydney, and resided constantly on his estate at Vacluse.\*

Returns to  
Vacluse.

That in the month of May last, memorialist had occasion to come to Sydney to consult a physician on the state of his health, which was much impaired, and was walking peaceably in the town, when he was suddenly set upon by a party of armed men, who said they were constables, and who proceeded with unheard of violence to drag your memorialist to the common jail, in committing which outrage on the person of your memorialist, they tore your memorialist's cloaths, wounded and bruised him, and at length, without any warrant, a pretended authority bore off your memorialist, whom they had thus overpowered, to prison, where your memorialist was that night confined, and early the next morning, in like forcible illegal manner, was sent off again to the Coal River, where, unfortunately for your memorialist, Lieutenant Lawson, 102nd Regiment, had got into the command.

Arrested in  
the street.Sent back to  
Newcastle.

That on the 14th day of July, 1809, your memorialist was sent for by Lieutenant Lawson, and whilst your memorialist, unconscious of having done any wrong, or offended Lieutenant Lawson, was proceeding to Government House there, he was suddenly interrupted by Lieutenant Lawson, who vociferously called out to some of his people, and made use of the following words: "Seize the villain by the scruf of the neck and drag him to the guard-house." That your memorialist endeavoured by remonstrance to learn the cause of this fresh outrage, but was prevented by the constant vociferation of Lieutenant Lawson, who loudly called out that he would flay your memorialist, and put him to work on the

Alleged  
violence of  
Lieutenant  
Lawson.

\* In addition to this estate, Hayes possessed a house in Sydney which, for sixteen years prior to the date of this petition, had been the residence of Maurice Margatol.

- 1810 shell boat. That memorialist was draged, in strict obedience to  
 18 March. Lieutenant Lawson's commands, which it seems no one there then  
 dared to hesitate in performing, and kept closely confined till  
 night, and in the course of the afternoon a messenger came from  
 Lieutenant Lawson to demand the key of memorialist's house,  
 which memorialist refused to deliver, and the consequence was,  
 the house was broke open,\* the contents rifled, scattered, wrecked,  
 and exposed to general plunder, your memorialist's papers taken  
 away, furnishing amusement to the lower orders of people assem-  
 bled in their huts in the evening, whilst other papers were returned  
 to your memorialist. Those which related to your memorialist's  
 private and domestic concerns were withheld, and memorialist has  
 not been able to regain possession of them, nor of his private  
 letter-book.
- Books and  
papers  
seized.
- A vindictive  
officer. That Lieutenant Lawson, by way of pursuing the system of  
 oppression which he had thus wantonly commenced, seized every  
 opportunity to harrass and distress your memorialist, regardless  
 of his extreme ill-health and infirmities, which required attendance  
 and nourishment ; and with a view to cut off your memorialist  
 from every resource of this kind, Lieutenant Lawson published an  
 order threatening to punish any man with 200 lashes who should  
 do anything for your memorialist, or even to seem to hold converse  
 with him.
- Hayes and  
his enemies. Your memorialist repeats his declaration of being unconscious  
 of any act he had ever done to merit such severe, such unheard-of  
 treatment, and if, from the temporary zeal of his mind, and an  
 honest indignation at the outrages and indignities committed  
 against the representative of Majesty, your memorialist has ex-  
 pressed himself incautiously, and unsuspecting that his words  
 would be reported with the usual additions and tortured construc-  
 tion by spies and emissaries, and such expressions have been offen-  
 sive and irreconcilable to men not in authority, but in power,  
 memorialist humbly trusts he may be permitted to plead the jus-  
 tice of the cause by which he felt himself actuated, and that since  
 those measures have been marked by His Majesty's displeasure, it  
 will not be deemed wrong in a faithful and loyal subject to have  
 animadverted upon them according to their deserts.
- May it therefore please your Excellency to order the papers so  
 illegally seized to be restored to your memorialist, and that you  
 will please to grant him such relief in the premisses as to your  
 wisdom shall seem meet.†

H. B. HAYES.

\* *Note in the margin.*—The trunks and boxes of your memorialist also broke open.

† *The memorial endorsed, in Macquarie's handwriting.*—“ Answer : That the Governor will call upon Lieutenant Lawson, of the 102<sup>d</sup>, on his return to head-quarters, to restore the books and papers that were taken from the memorialist at the Coal River.—L.M.” See also Bligh's memo. on Hayes's petition, dated 27th March, 1810, post, p. 320. Lieutenant Lawson's statement in reply will be found on p. 326, post.

GOVERNMENT AND GENERAL ORDER.

1810

Government House, Sydney,

Wednesday, 21st March, 1810.

21 March.

**HIS** Excellency the Governor has been pleased to appoint Lieutenant John Purcell, of the 73rd Regiment, Commandant of Newcastle, and also to be a magistrate and justice of peace in that district, during the continuance of his command in it.

Lieutenant  
Purcell.

There being between four and five thousand gallons of spirits in the bonded stores, recently landed from the ships Venus and Ann, the Governor has given permission for the disposal of it at thirteen shillings per gallon, duties included, in the following manner, viz. :— To the officers, civil and military, thirty gallons each ; to store-keepers and superintendants, ten gallons each ; to the constables and overseers, five gallons each ; to the stonemasons, one gallon each ; to persons holding licenses, forty gallons each ; to the Commissary's two established clerks, ten gallons each.

More spirits.

The persons who may wish to receive the foregoing proportions of spirits must pay for them in ready money on receipt thereof, either in Government or Paymasters' notes, to Messrs. Barton and Clarke, to whom the spirits belong.

Cash pay-  
ments.

The issuing of the abovementioned spirits from the bonded stores will commence on Monday next, at ten o'clock in the forenoon, and continue daily until the whole is served out.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Thursday, 22nd March, 1810.

22 March.

**HIS** Excellency has also been pleased to appoint Mr. John Eyre\* to be a schoolmaster upon the establishment of this colony, and to direct that he shall immediately proceed to Parramatta, and take the charge of the charity school there, receiving his instructions respecting his duties from the Reverend Mr. Marsden, the Principal Chaplain. Mr. Eyre's salary will commence from this date.

A school-  
master.

PUBLIC NOTICE.

Government House, Sydney, 24th March, 1810.

24 March.

**IT** having been represented to His Excellency the Governor that the settlers at the Hawkesbury and Parramatta suffer considerable difficulties from the want of sufficient roads to convey their various produce to market at Sydney, and that they are anxious that toll-bars should be erected at convenient distances between those places in order to raise a fund for the putting said roads into good repair, and for their being regularly kept in good order ;—this is therefore to give notice that His Excellency is disposed to approve

Public  
roads.

\* Mr. Eyre was a capable painter in watercolours. Some of his pictures of early Sydney are still in existence.

1810  
24 March.  
Tolls to be  
established.

of the erecting toll-bars, and to establish certain rates thereon, for this beneficial object. All persons wishing to contract for said toll-bars and repairs are required to give into the Secretary's office, on or before the 31st instant, in writing, the terms on which they are disposed to undertake this service. The tenders must express the extent of road that will be made good each month until the whole is completed, and specify such securities for the faithful performance of the terms of the contract as may be deemed adequate by His Excellency. A lease of said tolls will be given for seven years to whoever may offer the most eligible terms of contract.

27 March.  
Bligh's  
opinion of  
Hayes.

MEMO. BY EX-GOVERNOR BLIGH. (Colonial Secretary's Papers.)  
New South Wales, 27th March, 1810.  
HAVING seen a petition of Sir Henry Brown Hayes, which is intended to be presented to His Excellency Governor Macquarie for his pardon, and permission to return to his family and friends, I do not hesitate to declare that, from his general conduct in this colony, being loyal and meritorious, I should have given him his freedom had I held the Government.\*  
W<sup>M</sup> BLIGH.

Stone-  
mason's  
wages.

AGREEMENT made by Lieutenant-Colonel Foveaux between Government and free labourers employed in building the New Stores in March, 1810:—

James Doran—Himself and two children victualled, and to receive  $\frac{1}{2}$  gall. rum p'r week, provided he cuts 100 feet of stone; to be paid in proportion of 1 gall. of rum p'r 100 feet for all he cuts over.

William Walsh—Himself victualled, and 1 gall. of rum p'r week if he cuts 100 feet, and in proportion for all he cuts over.

Barny Dennison—Himself victualled and 20s. p'r week; he is to work the whole of the week all day.

Rich'd Byrne, Anthony Curran, Pat'k Marman—Each victualled and  $\frac{1}{2}$  gall. rum p'r week; to work the prisoners working hours, 3 o'clock.

Edw'd Madden, Edw'd Pew (two soldiers)—1 gall. rum p'r 100 feet each, and so in proportion, or 150 feet of rough.

Nine quarryman and 1 toolmender— $\frac{1}{2}$  gall. rum each p'r week; to work all day.

Prisoners which work in their own time—For every 100 feet of fine stone, 1 gall. rum; for every 150 feet of rough stone, 1 gall. rum.

ISAAC NICHOLS,

Principal Superintendent.

N.B.—The above is a true statement of the agreement made by these men with Col'l Foveaux.

\* See Hayes's petition, dated 18th March, 1810, ante, p. 316, and Earl Liverpool's letter to Macquarie, 17th August, 1811, post, p. 578.

# DEATH OF LIEUT.-GOVERNOR COLLINS.

321

LIEUTENANT LORD TO GOVERNOR MACQUARIE.

1810

Head-quarters, Hobart Town,

Sir,

31st March, 1810.

31 March.

Divine Providence having pleased to remove from this world, in a very sudden manner, after a short indisposition, our most respected and regretted Lieutenant-Governor, David Collins, Esq're, the painful task falls on me, as his successor in command, to inform your Excellency of the event, and that all the respect and attention possible in this infant colony were paid to his remains.\*

Death of  
Lieut.-  
Governor  
Collins.

I thought it absolutely necessary, on an occasion of this mournful kind, that, as the representative of His Majesty, as the Governor of this settlement, as an old and experienced officer in the service, and one who had been nearly a quarter of a century in this part of the world, every mark of attention should be paid to his regretted remains.

Preparations  
for  
interment.

His funeral was attended by upwards of 600 persons. After the usual military parade, the civil officers supported or followed the corpse, attended by a great number of persons in deep mourning. His body was deposited in a brick vault with that solemnity the occasion required; and over the tomb, I beg leave to inform your Excellency, I immediately intend to erect the church, the spot where he was interr'd being that he had frequently pointed out for the altar.

The funeral.

In a settlement like this, where every article is enhanced to a very considerable amount, I trust your Excellency will see that those marks due to the rank of the deceased could not have been paid him in a manner different from the present, or at a smaller expence than what has been incurred. Inclosed I have the honor to transmit the accounts which I doubt not your Excellency will approve. I have directed the Acting-Dep'y Commissary to draw a set of bills in favor of Mr. J. Ingle for the amount of his bill, to which I have put my name to in the usual manner, and subjected the same to the further approval of your Excellency.

Funeral  
expenses.

Should any inaccuracies appear in my several letters to your Excellency, I trust you will allow the shortness of the time, and the necessary duties arising from the death of the late Lieutenant-Governor to plead in excuse.

I have, &c.,

EDWARD LORD,

1st Lieutenant, Royal Marine Forces.

\* In a short note of a few lines, bearing date 30th March, 1810, Lieutenant Lord informed Governor Macquarie that Collins, after a few days indisposition, had suddenly departed this life on the 24th March, 1810, at 7-30 p.m. He died sitting in his chair, in the presence of his medical attendant, Surgeon Bowden.

1810

[Enclosure.]

## FUNERAL EXPENSES OF COLLINS.

Hobart Town, River Derwent,

Van Diemen's Land, 28th March, 1810.

31 March.

GEO. P. HARRIS, Esq., Acting Deputy-Commissary, on account  
Government, to John Ingle, for the funeral of the L  
Lieutenant-Governor Collins :—

An under-  
taker's bill.

	£	s.	d.
107 yards of black cloth for the pall and mourning for servants, superintendants, &c., @ 36s. ....	192	12	0
18 waistcoat fronts, @ 14s. ....	12	12	0
18 pair of men's stockings, @ 11s. ....	9	18	0
12 pair of Europe shoes, @ 20s. ....	12	0	0
22 muslin handkerchiefs, @ 10s. ....	11	0	0
16 pair of men's gloves, @ 10s. ....	8	0	0
54 yards of callico for linings, @ 3s. 6d. ....	9	9	0
54 dozen of buttons, @ 4s. ....	10	16	0
54 hanks of silk and twist, @ 2s. 6d. ....	6	15	0
216 skeins of thread, at @ 6d. ....	5	8	0
5 fine hats, @ 50s. ....	12	10	0
1 ditto ditto ... ..	3	3	0
4 callico shirts, @ 10s. ....	2	0	0
10½ yards of taffety silk for the pall, @ 12s. ....	6	6	0
9 yards of black sattin ribband, @ 3s. 6d. ....	1	11	6
2 gallons of the best vinegar, @ 24s. ....	2	8	0
22 skeins of thread and 4 ditto of silk, for making the pall ... ..	1	1	0
Trimmings for 4 pair of pantaloons for the sergeants in the Royal Marines ... ..	3	5	0
Paid Mr. Faulkener for 39 yards of black hat ribband, @ 2s. ....	3	18	0
Paid Mr. Faulkener for 1 pair of black breeches, @ 50s., and 1 pair of stockings, @ 20s. ....	3	10	0
1 lb. of pins ... ..	1	10	0
7 yards of ferrilling, @ 9d. ....	0	5	3
11 black gowns for the marines' wives, 4 do. for servants, @ 63s. ....	47	5	0
11 petticoats for ditto, 4 ditto for ditto, @ 35s. ....	26	5	0
11 pair stockings for the marines' wives, 4 ditto for servants, @ 10s. ....	7	10	0
11 pair Europe shoes for ditto, 4 for ditto, @ 18s. ....	13	10	0
11 pair silk and leather gloves for ditto, 4 pair for ditto, @ 16s. ....	12	0	0
15 book muslin handkerchiefs for ditto, @ 12s. ....	9	0	0
15 ditto pocket ditto for ditto, @ 7s. ....	5	5	0
13 bonnets, @ 10s. 6d. ....	6	10	0
20 yards of callico, for linings, @ 3s. 6d. ....	3	10	0
30 skains sewing silk, @ 2s. 6d. ....	3	15	0
60 skains thread, @ 6d. ....	1	10	0
25½ yards of black book muslin, @ 12s. ....	15	6	0
4 book muslin handkerchiefs, @ 14s. 6d. ....	2	18	0
17 ditto as crape hat-bands, @ 12s. ....	10	4	0
23¾ yards of ell wide fine black cambrick, @ 14s. ....	16	12	6
10 yards of ditto, @ 13s. ....	6	10	0

£ 507 8 3\*

\* It is hardly to be wondered at that Macquarie demurred to paying this remarkable bill.

# THE POLICE FUND.

323

GOVERNMENT AND GENERAL ORDER.

1810

Government House, Sydney,

Saturday, 31st March, 1810.

31 March.

HIS Excellency the Governor, deeming it expedient that a Colonial Police Fund, entirely distinct from the Female Orphan School Institution, should henceforth be formed and denominated the Police Fund, from which it is intended that all the gaol and police expence of every description shall be defrayed, together with such other expences as may be necessarily incurred in ornamenting and improving the town of Sydney and in constructing and repairing the quays, wharfs, bridges, streets, and roads within the limits thereof. The Police Fund is to be considered as established on and from the 1st of next month inclusive, from which date three-fourths of all the duties and customs collected in the port and town of Sydney and in the other parts of the settlement are to be paid into the hands of the treasurer to be appointed for this fund ; the remaining fourth of the duties and customs to be continued to be paid to the Orphan School Fund, which it is supposed will be amply sufficient to defray all the necessary expences of that institution.

The Police  
and Orphan  
Funds.

Division of  
Custom's  
duties.

The money arising from the duties lately levied on licenses granted to publicans for vending spirituous liquors is to be paid by the Judge-Advocate into the hands of the treasurer to be appointed for the Police Fund, and to form the foundation of it.

Publican's  
licenses.

The Lieutenant-Governor and the Judge-Advocate will form a committee for conducting and regulating the Police Fund, agree-ably to the true intent and meaning of the institution.

The  
committee.

D'Arcy Wentworth, Esq., is appointed treasurer of the Police Fund.

The  
Treasurer.

The committee will meet monthly, or as often as they may judge necessary, to inspect and regulate the accounts of the treasurer. A quarterly account must be made up regularly at the end of every three months by the treasurer of all receipts and disbursements, and which, after being previously inspected and approved by the committee, must be laid before the Governor for his final approval ; it will then be published in the *Sydney Gazette* for the information of the public at large.

Quarterly  
accounts.

The Female Orphan School will in future be regulated exactly in the same manner as is now directed to be observed with respect to the Police Fund ; and a quarterly account of the receipts and disbursements of the former must in like manner be published in the *Sydney Gazette*.

The Orphan  
Fund.

Robert Campbell, Esq., having tendered his resignation of his appointments of Naval Officer and magistrate, His Excellency the Governor is pleased to accept the same.

Robert  
Campbell.

1810  
31 March.

The Governor requests Mr. Campbell will accept of his best thanks for the zeal, fidelity, and attention he has manifested in conducting the duties of those offices since his last reappointment to them.

Mr. Campbell will, as soon as possible, make up and close all his accounts as Naval Officer to the 31st of the present month inclusive, and when finally settled submit a copy of them for the Governor's approval.

Customs  
duties.

The duties not already paid and collected on such spirits and merchandize as the Governor has permitted to be imported into the colony since the 1st of January last to the 31st instant inclusive, are to be immediately paid to Mr. Campbell in Government or Paymasters' notes by the importers, in order to enable him to settle and close his public accounts as Naval Officer for the last quarter up to the 31st instant inclusive.

The Naval  
Officer.

His Excellency the Governor has been pleased to appoint Captain Henry Glenholme, of the 73rd Regiment, to act as Naval Officer, and Mr. Robert Campbell, jun., assistant to the Naval Officer, till further orders. They will take charge of their respective offices on the 1st of the next month.

Palmer's  
accounts.

John Palmer, Esq., Commissary, being shortly to embark for England, will be so good as to make up and close all the public accounts of that department for the last quarter up to this date inclusive, with the least possible delay.

Broughton  
appointed  
deputy.

Mr. Palmer will also be pleased to deliver over charge of the Commissariat Department on this afternoon to his deputy, Mr. William Broughton, who will be considered accordingly as Acting Commissary, and responsible for the due and faithful execution of the duties of that office from this day till Mr. Palmer's return from England.

A turnpike  
road.

His Excellency the Governor has been pleased to appoint the Rev. Mr. Samuel Marsden,\* and Simeon Lord, and Andrew Thompson, Esquires, to be trustees and commissioners for regulating and conducting all affairs and matters connected with the turnpike road proposed to be established between the town of Sydney and the Hawkesbury. They are accordingly requested to appoint an early day in the course of the ensuing week for meeting at Sydney to take into consideration such tenders and proposals as may be sent in to the Governor's Secretary by individuals willing to contract for making the turnpike road in question, agreeably to the public advertisement of the 24th instant. The trustees will submit their proceedings and opinions for the final ratification of the Governor, previous to their entering into any contract that may be laid before them.

\* Marsden declined to act, and D'Arcy Wentworth was appointed in his stead.

# SHIPPING.

325

## SHIPPING RETURNS.

Report of Ships and Vessels entered Inwards and cleared Outwards at the port of Port Jackson in His Majesty's Colony of New South Wales, from the 8th day of January to the 31st day of March, 1810.

When entered	Name of the Ship.	Master.	Build.	No. of Tons	Where built.	Registered.	Names of the owners.	From whence.	Cargo.
1810.									
14 Jan.	Marian	John Earl	Plantation	348	Calcutta	Calcutta	Scott, Wilson, & Co.	Calcutta	3,400 bags of wheat, 600 bags of rice, 100 bags of sugar, and a quantity of miscellaneous goods.
17 "	Union	William Collins	"	300	"	"	Loane & Co.	"	330 bags of sugar, 244 chests of tea, and general merchandise.
17 "	Experiment.	Joseph Dodds	Foreign	146	"	London	Peter Eyet, Messiaers	"	1,500 bags of wheat, 5 chests of tea.
5 Feb.	Cyclops	Charles Bruce	Plantation	90	Prize unknown	Calcutta	C. Bruce & Jno. Nichols	"	240 bags of rice, and general merchandise.
17 "	Hibernia	Will'm Campbell	"	200	"	"	William Campbell	Feejees	4 hog-heads of beche-de-mer, 10 tubs with 4 tons sandal-wood, 9 chests of bark, and 1,000 feet of corded bark.
28 "	Ann	Charles Clarke	Foreign	627	Foreign	London	Jno. & Will'm Jacob	London	General merchandise.
28 "	Venus	E. Bunker	Plantation	350	Chittagong	Calcutta	J. C. Burton	Calcutta	100 bags of sugar, 346 bags of wheat and rice, and general merchandise.
20 Mar.	Simon Cook	Charles Penson	British	184	Stockwith	London	Peter Kenlon & Co.	London	General merchandise.
27 "	Star	John Wilkinson	Plantation	110	Calcutta	"	Messrs. J. W. & T. Plummer.	The Fishery	General merchandise.
When cleared.									
1810.									
7 Mar.	Union	Will'm Collins	Plantation	300	Calcutta	Calcutta	Loane & Co.	Where bound.	Spice on private account, provisions and convicts for Government.
17 "	Experiment.	Joseph Dodds	Foreign	146	Unknown	London	P. E. Messiaers	River Derwent	Seabins.
31 "	Hibernia	Sam'l Ashmore	Plantation	200	Calcutta	Calcutta	Will'm Campbell	London	11 casks of fish oil, 4 tons of sandal-wood, 4 casks of beche-de-mer, 1 cask of mother-of-pearl shells, and 30 spars.

ROB. CAMPBELL, Naval Officer.

1810  
31 March.  
Shipping—  
inwards and  
outwards.

1810

JOHN YOUL AND OTHERS TO PROVOST-MARSHAL GORE.

3 April.

Sir,

3rd April, 1810.

Public  
meeting to  
sympathise  
with Bligh.

A former application was made to you, and for reasons unknown to us that request has not been as yet complied with. We, the undersigned, most respectfully request you to convene a meeting of the inhabitants, that they may be allowed to address Commodore Bligh, the late Governor and Commander-in-Chief, now on the eve of his departure, and to refute, in the most public manner, the false and infamous charges exhibited against the inhabitants of this colony by Lieutenant-Colonel George Johnston, viz. :—"Whenever the facts that have influenced me throughout so solemn a transaction shall be laid before my gracious Sovereign, I humbly trust His Majesty will approve of my conduct, and that it will be apparent I had no alternative but to put Governor Bligh in arrest to prevent an insurrection of the inhabitants, and to secure him and the persons he confided in from being massacred by the incensed multitude."

Yours, &amp;c.,

JOHN YOUL.

RICHARD RIDGE.

JOHN BOWMAN.

WILLIAM BLADEY.

HENRY BALDWIN.

JOHN. HOWE.

To be held at  
Green Hills.

PURSUANT to the above requisition to me directed, I hereby give notice that I will convene a meeting of the inhabitants, to be held for the above purpose, at the Green Hills, Hawkesbury, on Saturday, the 14th day of April instant, 1810.\*

W<sup>M</sup> GORE,

Provost-Marshal.

LIEUTENANT LAWSON TO SECRETARY CAMPBELL  
(Colonial Secretary's Papers.)

4 April.

Sir,

Sydney, 4th April, 1810.

Lawson and  
Hayes.

I have to acknowledge the receipt of your letter of the 3rd instant, wherein you mention that His Excellency the Governor had received a memorial from Sir Henry Brown Hayes, stating his having sustained a variety of personal violence from me, both here and at Newcastle, and that I had seized upon his papers on a certain day.

Ridiculing  
the Govern-  
ment.

In reply thereto, I beg you will assure His Excellency that the first charge is false and groundless; and with regard to the second charge I beg to observe that Sir Henry Brown Hayes having been under my command at Newcastle, where I found he was using every means in his power, by certain writings, to bring those under whose command I was, as well [as] the then existing Government, into ridicule and contempt, I therefore considered it my duty to possess myself of such writings; and having found a certain book containing

\* No meeting was held. Apparently Macquarie thought, after the experience of the meeting held at Sydney on 11th April, 1810, it would be unwise to move in the matter.

remarks against my superior officer, and ridiculing the then existing Government, which book I transmitted to Lieu't-Governor Foveaux, and also three letters which were addressed to a person at Sydney, his servant and companion. The letters are now much at his service, but as they contained certain insinuations against the Government I thought it my duty to detain them until now. If, however, His Excellency may not be satisfied with this declaration, I am ready to meet any investigation he may be pleased to direct, having such evidence as I doubt not will wipe away any impressions, if any may have been made on the mind of His Excellency.

1810  
4 April.  
Papers detained.

I have, &c.,

W. LAWSON.

COMMISSARY PALMER AND OTHERS TO PROVOST-MARSHAL GORE.

Sir, Sydney, New South Wales, 6th April, 1810.

6 April.

Whereas a requisition was made to you on the 7th day of February last to assemble your bailiwick on the first convenient day to consider of an address to be presented to William Bligh, Esq., late Governor of this colony, on his return to this part of the territory from the River Derwent, that the inhabitants might disavow the charge of high crimes and misdemeanors of which they were accused by Lieutenant-Colonel George Johnston, in his letter to His Majesty's Principal Secretary of State for the Colonies, and that they might declare their disapprobation of the confinement of Governor Bligh, though many of them were, through fear, induced to sign their approbation of that measure, some time after it was put in execution. Now we, the undersigned merchants, officers, and freehold inhabitants, renew this requisition, and require that you may convene this meeting as soon as convenient.

A meeting to be held in Sydney,

JOHN PALMER, Commissary. C. HOOK.

ROB. CAMPBELL. GEO. SUTTER.

HENRY FULTON. ANDREW MACDOUGALL.

PURSUANT to the above requisition to me directed, I hereby give notice that I will convene a meeting of the inhabitants, to be held for the above purpose, at the Market-place, in the town of Sydney, on Wednesday, the 11th day of April instant, 1810.\*

at the Market-place.

W<sup>M</sup> GORE,

Provost-Marshal.

\* The meeting was held, Gore being in the chair. A resolution disavowing any complicity in the arrest of Bligh was passed. According to Gore's account, given on oath at the trial of Lieutenant-Colonel Johnston, the major part of those present who had signed the resolution then withdrew. A number of friends of the military remained behind, and Gore was compelled, after he had made an unsuccessful appeal to Macquarie, to put the following resolutions, which were carried unanimously :—(1.) "That this meeting, convened for the purpose of addressing William Bligh, Esquire, is calculated to destroy that unanimity and good understanding so essentially necessary to the advancement and improvement of this infant and rising colony. (2.) That it is the firm and unanimous determination of this meeting to support and carry into effect, as far as in them lies, His Excellency the Governor's proclamation of 1st January, 1810, recommending harmony and a conciliatory spirit to subsist between every individual in the colony."

1810

## GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Saturday, 7th April, 1810.

7 April.

**Law appeals.** THE appeals from the decisions of the Court of Civil Jurisdiction to His Excellency the Governor, as Judge of the High Court of Appeal, will be heard in the order in which they have been lodged at the Secretary's office, commencing at ten o'clock on Tuesday, the 10th instant, at the Government House.

His Excellency the Governor has been pleased to appoint Alexander Riley, Esq., a justice of the peace and magistrate for the town and district of Sydney, in the room of Robert Campbell, Esq., resigned.

Rev. Samuel  
Marsden.

The Reverend Mr. Marsden having declined\* acting as one of the trustees and commissioners for the turnpike road intended to be made forthwith between Sydney and the Hawkesbury, His Excellency the Governor is pleased to appoint Darcy Wentworth, Esq., to be a trustee and commissioner for the above purpose.

## GOVERNMENT PUBLIC NOTICE.

Secretary's Office, 7th April, 1810.

The use of  
firearms.

WHEREAS a most unwarrantable and dangerous practice hath existed for some time past, and appears to be daily increasing, of certain persons carrying guns and shooting in the immediate neighbourhood of the town of Sydney, and close upon His Excellency the Governor's domain, in violation of decency and at the risque of individuals passing on their private concerns : Notice is hereby given that all persons who may be found to offend in this way in future will be deprived of their guns, and otherwise dealt with, as the law in such cases directs ; and all peace officers and others are hereby enjoined and directed to give immediate information thereof to the magistrates of the persons acting in violation of this public notice.

\* \* \* \* \*

## LIEUTENANT EDWARDS TO THE EARL OF LIVERPOOL.

8 April.

My Lord, Sydney, New South Wales, 8th April, 1810.

Unknown as I am, I feel the presumption of addressing your Lordship ; and nothing but circumstances which may distantly be connected with the high situation your Lordship holds could warrant the present intrusion.

An Indian  
officer in  
Tasmania.

Having left Bengall in November, 1809, for the benefit of my health, I proceeded towards New South Wales ; and, putting into Adventure Bay, in Van Diemen's Land, I discovered upon a tree

\* Marsden's reasons for declining to act are not given ; but anyone conversant with this period of our history will have little difficulty in divining them.

in the south-east side of the bay, close to a lagoon of fresh water (upon the banks of which Captain Bligh, on the 11th of February, 1792, sowed water-cresses, and recorded the same upon a tree), an inscription in French, much overgrown by the bark, which, when cleared away, was as follows:—

“Au pied de cet arbre est une bouteille, 17th Feb., 1793.”

I dug at the foot of the tree, and found a French claret bottle, in which were four letters, which I now have the honor to inclose to your Lordship. There was also a paper requesting the finder to send them to their address, dated 17th February, 1793.

Having found these letters within the Government of New South Wales, I presented them to His Excellency Governor Macquarie, who was pleased to leave them at my disposal.\*

With due deference, I submit them to your Lordship to do with them as in your wisdom shall seem proper, of which the exalted situation which your Lordship holds bears the most ample testimony.

Recommending myself to your Lordship's consideration,

I have, &c.,

SAMUEL THOMAS EDWARDS, Lieut.,  
8th or King's Royal Irish Dragoons.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House,

Sydney, Monday, 9th April, 1810.

THE Commander of the Forces cannot allow the 102nd Regiment to depart from this colony without thus publicly expressing his highest approbation of their steady discipline, sobriety, and orderly good conduct in quarters during the period they have served under his command; and he accordingly requests Colonel Paterson will be pleased to communicate to the officers and soldiers of the Corps under his command his entire approbation of their conduct during the period above alluded to.

#### WHALERS TO GOVERNOR MACQUARIE.

Sir, Bay of Islands, 10th April, 1810.

In consequence of the destruction of the *Boyd*, Capt. Thompson, with the inhuman massacre of the passengers and crew of that ship, and from the information of Captain Pattison, of the ship *City of Edinburgh*, and the different natives of this place, having every reason to believe that Tippahæ was the chief perpetrator of the horrid transaction,—on the 26th March, 1810, we, the undersigned, with our respective boats' crews, determined to ascertain if any person had been so fortunate as to escape the general

\* These messages were, doubtless, left by the French, under Admiral Brany D'Entrecasteaux, who, at or about the date given, was in the neighbourhood of Adventure Bay.

1810  
10 April.  
Tippahee's  
Island.

An engage-  
ment with  
the Maoris.

massacre and confined on Tippahee's Island, as well as to rescue them and recover the arms, ammunition, and other warlike stores from the hands of the savages. On landing at Tippoonah and proceeding to the top of the island, the residence of Tippahee, we found the natives in a hostile disposition, and after a short interval they set up a general cry, and immediately discharged a volley of musquetry and spears at us. Our retreat was impracticable without certain loss, when we proceeded and took possession of the island by force of arms. The natives, with Tippahee, escaped to the main, either taking away or destroying their musquets by throwing them into the sea.\*

We found the Boyd's long boat and some papers, which we send by the Perseverance to Port Jackson, and earnestly caution all commanders coming to this place to be constantly on their guard, the natives appearing determined and fully adequate to carry any single ship.

JOHN KINGSTON, Speke.  
JOHN WALKER, Inspector.  
WILLIAM PARKER, Diana.  
JOSH. MORRIS, Atalanta.  
FREDK. HASSELBERG, Perseverance.

#### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Saturday, 14th April, 1810.

14 April

Michael  
Robinson.

HIS Excellency the Governor has been pleased to appoint Mr. Michael Robinson to be first clerk in the Government Secretary's office, and he is to be considered as such accordingly from the 1st instant.

The Governor has also been pleased to appoint Mr. John Davies to be master of the Public Charity School at Sydney.

The charity  
school.

The Public Charity School, for the education of poor children at Sydney, will commence on Monday next the 16th instant. The children will assemble and be taught in the church until a proper building can be obtained for this service.

\* J. L. Nicholas, who visited this part of New Zealand in company with the Rev. Samuel Marsden in the year 1814, gives the following account of this event :—" Four or five of our whalers happening to enter the Bay of Islands shortly after the cutting off of the Boyd, landed their crews on a small island, where Tippahee and his tribe resided, being previously informed by Tarra that to them alone was the massacre to be attributed ; and, fired with impatience for revenge, they commenced an indiscriminate slaughter of the guiltless inhabitants, sparing neither age nor sex, burning their houses and destroying their plantations. Tippahee escaped with his life, after having received some severe wounds ; but the havoc made among his people must be truly afflictive to the friends of innocence and humanity."—*Narrative of a Voyage to New Zealand*, vol. i, p. 299. Marsden shared Nicholas's belief in the innocence of Tippahee ; but it must be borne in mind that they, apparently, formed their conclusions from the accounts of the Maoris themselves, given some time after the event. Alexander Berry, on the other hand, visited the spot a few days after the seizure, and had the additional evidence of the survivors, two of whom were old enough to be able to give an account of the circumstances. He appears to have had no doubt as to the complicity of Tippahee—*ante*, pp. 260 and 262.

WILLIAM LEITH TO MESSRS. LORD, WILLIAMS, AND THOMPSON. 1810  
(Colonial Secretary's Papers.)

Bay of Islands, New Zealand,

Gentlemen,

15th April, 1810.

15 April.

Mr. Mason, late mate of the Speke, having offered to take charge of any despatches I might have to send you—he intending to leave this bay in the *Perseverance*—I have entrusted him with the delivery of the case containing the book, and this, my first letter to you. Mails from New Zealand.

On 4 April we made the North Cape of New Zealand. On the 5th at sunset we anchor'd at the entrance of the Bay of Islands, after experiencing two heavy gales of wind. Early in the morning of the sixth a friendly chief came on board. From this man with extreme sorrow we learnt the confirmation of the fate of the ship *Boyd* and crew, the particulars of which I send you herewith. He likewise informed us that 6 ships lay at the upper part of the bay, names as p'r margin\*; that the boats of the ships had attacked and wounded *Tip-pa-hee*, destroyed his houses and property, and killed about 60 of his people,—which I find to be correct. The *Boyd's* longboat and some other articles fell into their hands. The loss on the side of the English is one man killed, by the accidental going off of a musket; a few were slightly wounded. *Tip-pa-hee* made his escape, it is reported, to *Wongaloorah*, where the unfortunate remains of the *Boyd* lays 5 fath'ms under water. Arrive at the Bay of Islands.  
Reprisals.  
Sixty Maoris killed.

Towards the evening we anchored at the upper end of the bay, close to the other ships. All the natives of this bay being at war with each other, added to the extreme poverty of the place, gave me poor hopes of meeting with success in this bay; even potatoes are not to be procured. Soon after we anchored, a chief by the name of *My-hanga* came off, belonging to the district of *Tarrahee*. The good character I had previously given me of this man determined me to appear on friendly terms with him. Accordingly I made him a present of a few articles, for which he has rendered himself useful by keeping the natives from incommoding the ship. Natives at war.  
A friendly chief.

On the 8th, in the morning, I resolved to go on shore in order to open a trade with the natives, as nothing worthy of notice had been brought off to us. 900 men of this district having gone eastward to the war led me to suppose that I had little to fear from the remainder. Not being able to procure anything of consequence, I returned on board, and in the evening I again went on shore, accompanied by *Howell*. We, being both well armed, intended penetrating a short way by land towards a hill which overlooks the lower part of the bay, hoping to see the schooner *Governor Bligh* working in. We were nearly three hours travelling A trip inland.

\* *Speke*, Inspector, *Atalanta*, *Perseverance*, *Spring-grove*, and *New Zealander*. These ships sailed in company with us.

- 1810 3 miles, which will give you a tolerable idea of the difficulty attending penetrating far into the country. We reached the top of the hill, but could not see the schooner, and got safe on board about 1 hour after dark. On Monday, 9th, several boats from the ship intended going up a river on the north side of the bay to rescue four white men they had information of. Judging this to be a fit opportunity to form a correct judgment of the nature and productions of this part of the northernmost island, determined me to be one of the party. After reaching the head of the river we landed and penetrated about 10 miles inland. It then appeared we had not got half way to the place of abode of the white men, who are supposed to be concerned in the seizure of some ship or other. Prudence pointed out the necessity of our returning, that we might reach the boats before dark. Mr. Finucane being of the party, I proposed to him to return by a different rout from that, which we came, in order to disconcert any plan the natives might have formed to cut us off; Mr. F. being of the same opinion, which was put in execution, we got safe on board about the close of day.
- A river expedition. The soil of this part of the island is certainly most excellent. Although we penetrated so far, and chiefly through a fine valley with many fine runs of water, we did not see a single pine tree or any wood of consequence. The quantity of flax plant is very small indeed—the whole I have seen would not produce one cwt. when manufactured. As we were not far from the district of Wongaloorah, Bruce has certainly grossly deceived you by his false representations. I am perfectly convinced that were it possible for us to remain in the Bay of Islands it would not answer any good purpose. It would be absurd, as two ships do not consider it safe to lay here by themselves. I am likewise of opinion that the masters of the different ships have to thank themselves for all the evils they have brought on by their injustice and ill-treatment of the natives. All the timber lays very far up the country, and can be obtained only through the medium of the natives. A trade subject to such interruptions as will arise on the least offence they may receive cannot be productive, especially as the articles are very scarce. The pine I consider is not of a good quality, possessing very little turpentine or rosin.
- Soil and country. The Bay of Islands. Col. Foveaux and Mr. Finucane take their passage to England in the Speke, not finding themselves well accommodated in the brig. In order to freight the Experiment I am endeavouring to purchase as many spars as will fill her, which must be cross cut to make good stowage. After getting the spars in, I purpose looking into Wongaloorah—that is, if I can prevail on Capt. Dodd to do so—and then to cruise off the North Cape for a day or two in hopes of seeing the schooner. When she joins us I shall proceed in the Experiment to the East Cape, trading if possible on the
- Foveaux. Collecting cargo.

coast between the two capes. I find, by the masters of the whalers that have been at the East Cape this season, that mats and flax are to be procured there of a good quality. At the East Cape I expect to be able to send the Experiment for England. As soon as I have completed the cargo of the Experiment and dismissed her, shall continue to trade about the East Cape if possible for a short time, and then proceed to Queen Charlotte Sound, Cook's Straights, being informed here by the whalers who have been there this season that the flax plant abounds in that Sound, even to the tops of the hills. I have likewise information that there is very few, if any, natives there. This sound being not far out of our way to Foveaux Straights induces me to make trial of it. Should it, on my arrival, promise to answer my purpose, I intend remaining in it during the midwinter months. You will therefore please to direct the master of such vessel as you may judge proper to send to our relief to make Cook's Straights. On each side of the entrance of the Sound I purpose fixing a cross, or nailing a piece of timber across a tree, as a signal of our being within it. Should we leave the Sound previous to the arrival of such vessel, I will leave directions pointing out our course, inclosed in bottles and buried at the feet of trees, or crosses with a string afixed and leading above ground. If we should not be in the Sound, nor any signs remain of our having been there, it will be necessary for such vessel to run up the Bay of Plenty, and the East Cape before the master attempts to search for us in Williams's or any other bay in Foveaux Straights. The same signals I shall make in the last as in the beforementioned straits. It is highly necessary to require the master to be very cautious when on the coast, and not permit more than one canoe to come alongside, and but few natives on deck at a time. Shall feel great inconvenience for the want of a carpenter or two. Have appointed Howell to take charge of the stores, trade, &c., in case any accident should befall me until your pleasure is made known on that head. The Boyd's long boat is sent to Sydney by the Perseverance. She being a boat well calculated for our use, should this establishment succeed she would be of great service to us. Have rec'd very little assistance or advice from any person on board the Experiment, they being completely panic-struck.

1810

15 April.

Queen  
Charlotte  
Sound.Sailing  
directions.Treacherous  
natives.Falac  
reports.

I shall make every possible exertion in my power, and if, on seeing those ports which have been pointed out to me, and find the least probability of success, I shall not hesitate to give it a fair trial. I am of opinion that some measures should be taken against Bruce,\* having no doubt but that he was laying a snare to deprive you of your property and us of our lives as soon as a fit opportunity presented itself. We are now getting under sail, in order to

\* This was, no doubt, George Bruce, an English sailor, who had married the daughter of a Maori Chief in 1804, and settled at the Bay of Islands.

1810 run out of this bay. Have delivered to the care of Col. Foveaux a  
 15 April. small box containing a sample of flax and thread, directed to  
 Flax. Messrs. John and William Jacob, London. With all the exertions  
 I have made, and after being every day on shore at all the native  
 towns in the bay, I am much concerned to say that I could not  
 obtain more than four pounds of flax. Not so much as a single  
 mat is to be had here. Have procured a small quantity of timber,  
 but what I have got is very fine for this part of the islands.

\* \* \* \* \*

Scarcity of Believe me, gentlemen, I feel great regrett at my not being able  
 trade. to procure a cargo for the Experiment in this port. I am, how-  
 ever, confident you will see the impossibility of meeting with success  
 here. Should the Bligh not join us, I am of opinion that it will  
 be requisite for us to put on shore on the islands called Three  
 Kings, laying off the North Cape.\* are goats and hogs  
 on these islands, we may with difficulty make a shift until you can  
 send some vessel to our assistance. Many are for our returning to  
 Sydney; but I conceive it to be my duty to make every effort in  
 my power before I consent to that measure. However, in case  
 you should hear that any accident has occurred to the Bligh, please  
 to direct the master of any vessel you may send to our relief to  
 make those islands before he looks for us elsewhere. I am fearful  
 the schooner Parramatta, belonging to Mr. Blaxcell, has shared  
 the same fate as the Boyd, and by the same hands, as the natives  
 give me to understand something of this nature.

Arranging  
 a rendez-  
 vous.

I am, &c.,  
 W<sup>m</sup> LEITH.

20 April.

#### THE MILITARY OFFICERS TO GOVERNOR MACQUARIE.

THE memorial of the officers of the 1st Battalion of His Majesty's  
 73rd Regiment,—

Humbly sheweth :—

Cost of living  
 at Sydney

That, from the local experience your Excellency has already  
 had of the prices of every article in this colony, memorialists trust  
 they will be justified in soliciting your Excellency's kind interfer-  
 ence with His Majesty's Ministers for some Colonial allowances,  
 to enable them to support the appearance and rank of officers,  
 which, under the existing circumstances of this colony, your Excel-  
 lency must be aware, cannot be accomplished with the pay of any  
 rank of officers.

compared  
 with Ceylon,

That the officers of H.M. regiments stationed at Ceylon, where  
 all articles of Indian manufactory are procured at nearly prime  
 cost, and where European articles are, at all times, much cheaper  
 than in this colony, have an allowance of half batta; and that the  
 73rd Reg't is the only one of the line ever stationed beyond the  
 Cape of Good Hope that receive no such indulgence.

That the granting of a Colonial allowance to the reg't stationed in this distant and infant colony cannot be considered as a precedent for the officers stationed at the Cape of Good Hope to claim a similar allowance, as all the necessaries of life are to be procured at the latter colony at as low a rate, and generally lower, than in England. 1810  
20 April.  
and the  
Cape.

That a return of the market prices here, with a request that they may be compared with those of any other colony garrisoned by H.M. forces, is most respectfully submitted to your Excellency's consideration, confident that, to your Excellency, no just appeal will be made in vain, and that a representation from you to our most gracious Sovereign will be received with that attention which it cannot but merit. Market  
prices.

Which is h'n'rably submitted, Sydney Cove, 20th April, 1810, by request of the officers of the 1st Batt'n 73rd Reg't.

W. C. O'CONNELL,  
L't-Col'l Court-M.

Approved and confirmed,  
L. MACQUARIE.

[Enclosure.]

AVERAGE Return of Market prices at Sydney, from 1st Jan'y to  
15th April, 1810:—

Beef, mutton, and pork, 1s. 6d. per lb.	Prices
Fowls, from 6s. to 8s. per couple.	current.
Eggs, from 3s. to 4s. per doz.	
Potatoes, from 14s. to 15s. per cwt.	
Oats, from 7s. to 8s. per bush.	
Bread, from 1s. to 1s. 2d. per loaf, weighing 2 lb.	
Butter, from 5s. to 7s. per lb.	
Wine, from £3 to £4 per doz.	
Spirits, from £2 to £3 per gal.	

Apparel and all other imports from Europe and India at from 100 to 300 per cent. advance.

GOVERNOR MACQUARIE TO VISCOUNT CASTLEREAGH.

Sydney, New South Wales,

My Lord, 30th April, 1810. 30 April.

1. I had the honor to address your Lordship by Lieutenant-Colonel Foveaux in a brief despatch, under dates the eighth and twelfth of last month\*; but lest that despatch may not get safe to hand I shall in my present one recapitulate the substance of my last, and furnish your Lordship with a more detailed account of my proceedings.† A previous  
despatch.

\* \* \* \* \*

6. Lieutenant-Colonel Johnston and Mr. McArthur having left the colony long previous to my arrival in it, prevented my carrying into effect that part of my instructions which referred to them. Johnston  
and  
Macarthur.

\* Ante, pp. 300 and 312.

† The paragraphs, which merely repeat parts of Macquarie's previous despatch, have been omitted.

1810  
30 April.  
—  
Officers.

7. I removed all those persons who had been appointed to public offices by the usurped Government, and reinstated those gentlemen who had been removed by it. On that occasion I issued the accompanying proclamation.\*

\* \* \* \* \*

Grants  
and leases  
revoked.

9. All grants of land and stock and leases made by the usurped Government have been revoked and declared null and void, and no grants or leases made to any officer of the New South Wales Corps have been renewed. I refer your Lordship on these points to the proclamation already adverted to of the 4th of January.†

Legal  
proceedings  
declared  
void.

10. The trials and investigations which were made during the usurpation of the Government have also been declared null and void, as your Lordship will observe by my proclamation of the fourth of January; but anxious to promote and preserve the peace and tranquillity of the colony, and with a view to prevent, as much as possible, improper and malicious litigation, I deemed it advisable to issue another proclamation on the fourth of January‡ prohibiting vexatious and malicious prosecutions, and granting a free indemnity to magistrates, gaolers, and constables from suits of this nature, at the same time recommending peace and harmony and forbearance to all parties. For your Lordship's further information on this head I transmit herewith the proclamation last alluded to.

Magistrates  
indemnified.

The 102nd  
Regiment.

11. All the officers of the 102nd Regiment proceed to England with their Corps, except Lieutenant-Colonel Foveaux and Lieutenant Finucane, to whom I lately gave leave to go Home in the brig Experiment, and Captain Cummings, Lieutenant Hadley, and Ensign Lilly, to whom I have granted permission to remain in the colony as settlers, on their resigning their commissions; but none of these three last officers were at Sydney at the time of the arrest of Governor Bligh.

Governor  
Bligh

12. On the seventeenth of January Governor Bligh arrived here from the Derwent in His Majesty's ship Porpoise, and was received by me with every mark of respect and attention.

Bligh's  
witnesses  
to go to  
England.

13. Governor Bligh having made application to me to order Home from hence sixteen persons as evidences to substantiate his charges against Lieutenant-Colonel Johnston and Mr. McArthur, I have accordingly directed them to hold themselves in readiness to embark with him in His Majesty's ship Hindostan; but many of them having declined to go on the plea of the great loss and inconvenience they would sustain by so long an absence from their families and properties in this country, and the Judge-Advocate having given it as his opinion that such of them as did not hold offices under Government could not be legally compelled to go as evidences, I left them at liberty to go or stay as they thought

Officers only  
forced to go.

\* Ante, p. 252.

† Ib., p. 255.

‡ Ib., p. 257.

proper, and only required the compliance of those gentlemen who held civil offices, namely, Mr. Palmer, Commissary ; Mr. Gore, Provost-Marshal ; Revd. Mr. Fulton, Chaplain ; and Mr. Atkins, the late Judge-Advocate. Besides these gentlemen, six other persons have agreed to go Home, making in all ten persons. They all go in the Hindostan, and in consideration of the losses their families must sustain from their absence, I have agreed to victual their wives and children from the public stores until their return, which measure, I trust, your Lordship will approve.

1810

30 April.

14. Being authorized by my instructions to make such an allowance to Mr. Atkins, the late Judge-Advocate, for the expence of the voyage Home as I might deem reasonable, I have ordered him one hundred pounds on this account as an adequate allowance.

Atkins's  
passage  
money.

15. As soon as vessels could be procured for that purpose, I sent off detachments of the 73rd Regiment to replace those of the 102nd Regiment at the distant dependencies of Port Dalrymple and Norfolk Island, this latter place not having been entirely evacuated at the time of my arrival. The detachments at the Coal River and at the other nearer stations were also replaced. Major Gordon, of the 73rd Regiment, with a company of that corps, were sent to Port Dalrymple ; and Lieutenant Crane, with a detachment of thirty men, were sent to Norfolk Island ; and I have now much pleasure in reporting to your Lordship that all those reliefs have taken place without any loss or accident. I have authorized Major Gordon to draw the same salary that has hitherto been allowed in the Parliamentary estimate to the Lieutenant-Governor of Port Dalrymple ; but as so great a reduction has taken place already in the establishment of Norfolk Island, I have only authorized Lieutenant Crane to draw five shillings per diem as a remuneration for his additional duties at that settlement.

Guards for  
the out-  
settlements.

Allowances  
to  
Lieutenant-  
Governors

\* \* \* \* \*

23. In pursuance of your Lordship's instructions, I lost no time in directing my attention to the principal object pointed out in them, namely, to improve the morals of the colonists, to encourage marriage, to provide for education, to prohibit the use of spirituous liquors, and to encrease the agriculture and stock, so as to ensure the certainty of a supply to the inhabitants under all circumstances.

Improving  
the morals of  
the people.

24. In my public proclamations and General Orders I have recommended in the strongest manner to the inhabitants of this colony a strict and regular attendance on Divine worship, and have endeavoured to impress on their minds the necessity of morality, virtue, and temperance. I have in a particular manner enjoined marriage, and the encouragement held out has been already attended with good effects on the minds of the lower orders of the people. I have marked my strongest disapprobation of the unlawfulness and immorality of the two sexes cohabiting together in an unmarried state, and I beg leave to transmit herewith, for

Sunday  
observance.

Con-  
cubinage.

1810  
30 April.  
Charity  
schools.

your Lordship's further information, the copy of my last proclamation on these important points.\* I have also established a public charity school at Sydney for the education of the poor children of this place of both sexes. There was a similar one established at Parramatta on a small scale before my arrival, but I have given directions to have that school established on a larger scale and an improved plan. It is likewise my intention to establish schools at all the principal districts and settlements of the colony.

Licensed  
publicans.

25. With the view to prevent the destructive and too free use of spirituous liquors as much as possible, I have reduced the number of licensed public-houses in the town of Sydney from seventy-five (the number I found here on my arrival) to twenty, and I have made a similar reduction in the same proportion in all the smaller towns and districts of the colony. The regulations I framed on this occasion, and the frequent seizures of clandestine stills, will, I trust, in due time, have the desired effect of arresting the progress of drunkenness and consequent idleness amongst the lower orders of the people.

The  
importation  
of spirits.

26. As, however, the various measures that have been taken hitherto to check the importation and regulate the sale of spirits have invariably failed, and as it is impossible totally to suppress the use of them, a certain quantity being essentially necessary for the accommodation of the inhabitants, it appears to me that it would be good and sound policy to sanction the free importation of good spirits under a high duty of not less than three or four shillings per gallon.† I am persuaded that the adoption of this measure would be attended with very good and beneficial effects. It would put an end to all further attempts at monopoly, and bartering spirits for corn and necessaries, as likewise to private stills, which, in defiance of every precaution, are still very numerous in this colony; but as the free importation of spirits would greatly reduce the general price, the private distillers would be undersold by the fair licensed trader. I am, at the same time, persuaded that this measure, instead of promoting drunkenness and idleness, would tend rather to lessen both, for it has generally been observed that the avidity of the lower orders of the people is in the inverse ratio to the quantity of spirits imported. From all these considerations I am decidedly of the opinion that the free importation of spirits ought to be sanctioned, but I shall nevertheless still defer the doing so until I shall receive your Lordship's further directions on that head.

Macquarie  
proposes to  
remove  
restrictions.

Fixing  
maximum  
prices.

27. The practice established at Port Jackson alluded to in your Lordship's instructions, namely, of imposing a maximum price upon all imported articles, which has been generally laid at fifty

\* Ante, p. 292.

† The Secretary of State thought that this duty was too low. See his letter of 26th July, 1811 post, p. 500.

per cent. profit, does not appear to have answered the purpose in view, and it therefore seems advisable to discontinue the practice, and leave the importation trade entirely free. 1810  
30 April.

28. In respect to the practice that has for a long time prevailed of sending out from England supplies of various kinds on account of Government, to be sold or exchanged in barter for the produce of this colony, I am of opinion that this practice cannot yet be discontinued without great inconvenience and loss to the settlers in general, there being no regular supplies imported by private merchants sufficient to answer the demands of the inhabitants, and the prices laid on by individuals on European articles imported by them are so enormously high that the lower orders of the people cannot afford to purchase them however much they may stand in need of them; but by encouraging the free importation of all kinds of merchandize I am of opinion that in a few years the practice of sending out supplies on account of Government might cease without prejudice to the colony. Government importations.  
A tentative measure.

29. The impolicy of establishing a maximum in the price of grain and butcher's meat is so apparent, and so adverse to the interests of the farmer and grazier, who ought to be encouraged by every possible means to increase their agriculture and stock, that it became absolutely necessary to discontinue it; and this has been accordingly done. The markets are now, in consequence of this measure, very well supplied with those articles, altho' generally at high prices. Grain and meat.

30. It would appear from the tenor of my instructions that your Lordship entertains doubts as to the policy of longer maintaining a Government farm or Government cattle in this colony; but from what I have myself already seen and observed, and from what I have learned from well-informed people on this subject, I conceive it will be highly advisable to continue a Government stock of cattle for several years to come, and also a Government farm on limited economical plan.\* The latter will not only serve as a stimulus to the regular farmer to increase and improve his crops, but will also be the means of preventing a famine, or any great scarcity of grain, as has so frequently been experienced in this colony, from the calamitous inundations of the Hawkesbury, but when more of the forest lands are cultivated by the ordinary farmers, so as to secure more plentiful crops, the retaining a Government farm will cease to be further necessary. At present there is but a very small proportion of it in cultivation, and there being few labourers and cattle employed on it, the expence to Government is comparatively trifling. Agriculture on Government account.  
An advantage to the settlers.

\* The Secretary of State, in replying to this despatch, urged Macquarie to see that every department of the Government farm was managed with the strictest economy. The scheme was evidently not a popular one at Downing-street. Macquarie reported, on 18th October, 1811 (post, p. 602), that he had "totally abolished the Government agricultural establishment."

- 1810  
30 April.  
Government  
cattle.
31. Without maintaining a large stock of horned cattle and sheep, it would be impossible to afford the necessary aid and assistance to poor free settlers, and emancipated convicts on their obtaining grants of land. They have not in general the means of purchasing cattle, and those who have them to sell are unwilling to give those poor people credit. Hitherto the practice has been to give them a certain number of Government cattle on credit, for which they pay in money or corn so soon as they obtain the means of doing so. In this point of view it appears adviseable to keep up the Government herds; they afford great relief to the poor description of settlers, and they also tend to restrain the rich grazier from extorting unreasonable prices for the cattle he sends to market. To this likewise must be added the great advantage derived by Government from the supplies sent into the public stores from this source for the victualling the troops and others entitled to rations from the Crown. For these reasons I respectfully submit that the Government stock should be still continued, particularly as the expence of doing so is so trifling that the saving from the reduction of the establishment could be no object to Government.
- An aid to  
poor  
settlers.
- Hawkesbury  
floods.
32. Your Lordship may depend on my paying most particular attention to that part of your instructions which recommend the adoption of precautionary measures for preventing the recurrence of famine in consequence of the inundations at the Hawkesbury. In pursuance of your Lordship's judicious recommendation on this head, I shall establish a public granary, and use every effort in my power to keep, at all times, one full year's consumption of grain in store for the number of persons in the colony who receive rations, and it shall be my chief study to effect this measure at as small an expence to Government as possible. At present there is no building suitable for a public granary, but there is an excellent one now erecting which was commenced by Colonel Foveaux, and which I hope will be completed and fit to receive grain to any amount in about three months from this date.
- A public  
granary.
- Female  
convicts.
33. In the additional instructions furnished me by your Lordship a more just and equal distribution of the male and female convicts is recommended on their first arrival in this country, and the shameful practice of giving the female convicts indiscriminately to such as made a demand for them is very justly and properly prohibited. I am sorry to say that these unfortunate females have been in general very improperly disposed of heretofore, which has led to great depravity of manners and most vicious habits among the lower orders of the people. In future I shall take care, agreeably to your Lordship's directions, to keep the female convicts separate till they can be properly distributed among the inhabitants in such manner as they may best derive the advantages of industry and good character.

34. As yet no complaint has been made to me by any of the settlers respecting the high rate of wages given to such convict servants as are allowed them by Government; but if it should appear, on further enquiry, that the wages hitherto allowed are too burthensome to the settlers, I shall frame such new regulations on that head as may appear adviseable.

1810

30 April.

Convicts' wages.

35. Agreeably to your Lordship's instructions I have framed and published such new regulations as appeared to me adviseable and necessary for simplifying the accounts and improving the system of conducting the various duties of the Commissariat department, and I am happy to say that office is now placed on a respectable and regular footing.

Commissariat department.

36. With respect to the accounts of Mr. Palmer, the Commissary, for the period previous to my administration, I conceived it unnecessary for me, in the present instance, to examine or investigate them here, as he will shortly have an opportunity of explaining them in person at the Treasury, in consequence of his going Home with Governor Bligh as an evidence; and in order that he may be properly prepared to account to the Lords of the Treasury for any questionable parts in his accounts, I have duly apprized him that they will undergo a very minute and strict investigation, and have advised him to carry with him all such books, papers, and documents as can by any possibility be required to explain them or elucidate any particular circumstance.

Palmer's accounts.

37. Immediately on taking charge of this Government I announced the same to Colonel Collins, Lieut.-Governor of Hobart Town, in Van Dieman's Land, apprizing him that it was His Majesty's orders that all his public correspondence should be carried on in future thro' me, and that he should punctually obey all orders received from me; that he would be held personally responsible for any measures he should take, or any contracts he should enter into, without having first obtained my sanction, except in cases of actual want. Colonel Collins acknowledged the receipt of those orders soon afterwards, and promised a punctual compliance with them.

Colonel Collins.

38. From the short time I have been yet at the head of this Government, and the variety of other public business that presses on my attention, I have not yet been able sufficiently to inform myself with regard to the trade and revenues of this colony so as to furnish your Lordship with any detailed account of them on the present occasion. I shall therefore only at present observe that both the export and import trade is very limited indeed, there being scarcely anything of the former and very little of the latter that pays any duties or customs except the article of spirits, which is occasionally permitted to be imported, on which, hitherto, a duty of only one shilling and sixpence per gallon was levied. This duty I have lately encreased to three shillings per gallon, which I trust will meet with your Lordship's approbation.

Trade and revenue.

Customs duties on spirits.

1810

30 April.

The Police  
Fund and  
the Orphan  
Fund.

Cost of  
schools.

39. Hitherto it has been the practice to appropriate the whole of the duties and customs collected at this port and the others of the colony to what was termed the Female Orphan School and Gaol Fund. Instead of continuing this system I have deemed it advisable, as better adapted to the improvement of the colony in general, and of the town of Sydney in particular, to divide the money so collected into two distinct funds, naming one of them "The Police Fund" and the other "The Orphan Fund." I have ordered three-fourths of all the customs and duties to be appropriated to the Police Fund, and the remaining fourth to the Orphan Fund, each under the management of distinct trustees. Out of the former is to be defrayed the expence of the jail and police establishments, the erection of wharfs, quays, bridges, and the making and repairing of streets and roads within the limits of the town of Sydney. Out of the latter is to be defrayed the expence of the female orphan school establishment, and also that of the other charity schools intended to be established here and at the other principal settlements in the colony. Increasing the duties on spirits to three shillings per gallon and raising the license to publicans, I hope will afford me sufficient funds to carry these measures into complete effect.

[Here Macquarie repeated the part of his letter of 8th March, 1810, contained in paragraphs Nos. 34 to 40, ante, pp. 305-7.]

The Porpoise  
to sail for  
England.

49. In consideration of the circumstances above stated\* respecting His Majesty's ship Porpoise, I have agreed to a request lately made by Commodore Bligh to take her Home along with the Hindostan and Dromedary, on the ground of her being required to carry Home that part of the 102nd Regiment which the two last-named ships were not able to accommodate, owing to a great part of one of them (the Hindostan) being occupied by the Commodore himself and his family, and the gentlemen and other persons he carries Home along with him as evidences.

Bligh  
assumes  
command of  
local navy.

50. Commodore Bligh, on his arrival here, had his broad pendant flying on board the Porpoise, and took immediately the command of the Hindostan and Dromedary, which he still retains. He has lately removed his flag to the Hindostan, intending to go Home in her, and to command the squadron. How far he is justifiable in doing so I do not feel competent to give a decided opinion, it being a measure that His Majesty's Ministers and the Lords Commissioners of the Admiralty alone are capable of judging the propriety of, and it was a point of too much delicacy, under his peculiar circumstances, for me to oppose or interfere in. At the same time, I must observe that the Commodore's assuming the

\* The circumstances referred to, were, that H.M.S. Porpoise was old and constantly in need of repair; she was consequently of very little use to the colony. See paragraph No. 40 of Macquarie's letter of 8th March, 1810, ante, p. 307.

command of those ships has very materially interfered with the arrangements I had proposed to make in the comfortable accommodation of the 102nd Regiment. 1839  
30 April.

51. Immediately on my taking charge of the Government I issued the necessary orders for the 102nd Regiment to hold themselves in readiness to return to England in His Majesty's ships *Hindustan* and *Dromedary*, as soon as the reliefs of the detachment of that corps then at the out-settlements should take place. The repairs of those ships, fitting them out for sea with provisions, &c., for a long voyage, and various other consequent preparations, have unavoidably detained them here much beyond the time I had hoped and expected they would have been able to take their departure when I last wrote to your Lordship on this subject. The different detachments of the 102nd Regiment from the out-settlements returned a long time ago, with the exception of the one from Norfolk Island, which only arrived here on the nineteenth instant. The ships, however, having been reported to me as ready for the reception of the troops on the tenth of this month, I embarked them on that day, and the detachment from Norfolk Island embarked on the twenty-fifth instant. Twenty-two commissioned officers, three hundred and forty-five non-commissioned officers and soldiers, one hundred and five women, and ninety-eight children belonging to the 102nd Regiment, are now embarked for England on board His Majesty's ships *Hindustan*, *Dromedary*, and *Porpoise*. Captain Piper, of the 102nd Regiment, who only returned a few days since from his command at Norfolk Island, having solicited permission to remain behind his Corps for a few months to settle his private affairs in this country, I have granted his request. The 102nd ordered Home.  
Detachments from the out-settlements.

52. I have much pleasure in acquainting your Lordship that a sufficient number of volunteers have turned out from the 102nd to complete the 73rd Regiment within nineteen men of its full establishment of one thousand rank and file. Volunteers from the 102nd.

53. A great number of old soldiers of the 102nd who had served long in this country, wishing to remain in it on account of connexions they had formed with convict women, and by whom they had children, I have taken the responsibility upon myself of forming them into an invalid or veteran company for the service of the colony, until His Majesty's pleasure shall be known; and I trust your Lordship will be pleased to move the King to be graciously pleased to sanction and approve of this measure. I have made the establishment of this invalid company one hundred rank and file, with the usual proportion of serjeants and drummers, to be under the command and charge of an officer of the 73rd Regiment until I shall receive orders from Home respecting it. Independent of gratifying these poor old soldiers in permitting them to remain with their families, and in a country they are A veteran company formed.  
Old soldiers

1810 much attached to, the measure will be a very considerable saving  
30 April. to the Crown, as from their great length of service, most of them  
having served between twenty and thirty years, they would be  
entitled to very high pensions on their arrival at Home and being  
discharged, for very few of them would be found fit for service in  
a cold climate.

A Barrack-  
master.

54. In order that the barracks built at the expence of the Crown  
for the civil and military officers and troops should be taken all  
possible care of, together with the barrack furniture and stores,  
I beg leave most respectfully to submit that I may be permitted  
to appoint some officer of the 73rd Regiment, properly qualified  
for that situation, to the office of Barrack-master of the colony  
with a suitable salary.

A Pay-  
master.

55. It would also be attended with great convenience to myself  
and the military staff if your Lordship would be pleased to approve  
of my appointing a Deputy Paymaster-General, or Colonial Pay-  
master, which office now becomes doubly necessary in consequence  
of the establishment of the invalid company already adverted to;  
and I therefore indulge a hope that your Lordship will approve of  
my making this appointment, and annexing the usual salary to it.

[Paragraphs 56 and 57 were a repetition of paragraph 9 of  
Macquarie's despatch of 12th March, 1810, ante, p. 313, concerning  
Campbell, Antill, and Cleaveland.]

The Secre-  
tary's salary.

58. The press and accumulation of public business that now  
fall to the lot of the Secretary of the Governor to perform in this  
country is so very much increased of late years, in consequence of  
the voluminous correspondence with and application from the  
different out-settlements, that a proportionate increase to the  
salary and establishment of this officer appears to be highly  
necessary and reasonable. I therefore respectfully submit that the  
gentleman now holding this office should henceforth be denomi-  
nated Colonial Secretary, with a suitable salary of not less than  
three hundred and sixty-five pounds per annum,\* with allowances  
for three clerks, one of whom, as first clerk, to have eighty pounds  
per annum, and the other two sixty pounds each. I indulge a  
hope your Lordship will approve of this increase being made to  
the office of Secretary, and that you will be pleased to have it  
included in the Parliamentary estimate of the civil establishment  
of the colony.

\* \* \* \* \*

Norfolk  
Island.

60. Finding on my arrival here that Norfolk Island had not  
been entirely evacuated, I did not deem it adviseable to carry that

\* The estimates for the year 1812, contained the following items :—"Secretary to  
Governor, £132 10s. ; additional salary to secretary, £100." Under previous Governors the  
amount was £91 5s. See Liverpool to Macquarie, 26th July, 1811, post, p. 562.

measure into complete effect until I should receive further and more explicit orders from Home on that subject. I have, in consequence, sent Lieutenant Crane with a detachment of thirty men of the 73rd Regiment for its protection, and to relieve the detachment of the 102nd Regiment then there. I have been at considerable pains to collect every possible information respecting that settlement and the utility of it to the mother country and to this colony. After considering this subject in every point of view, I am decidedly of opinion that the settlement ought to be entirely withdrawn, and the island compleatly evacuated as soon as possible. It is a place of no use whatever to the mother country or to this colony in either a political or commercial point of view. Its produce is never equal to the maintenance of its own few inhabitants; it has no harbors, and its coasts are dangerous and difficult of access. The expence of sending supplies thither from hence is very great and extremely hazardous and inconvenient, owing to the great distance it is separated from this colony. Under all these circumstances, I conceive it my duty to recommend, in the strongest manner, that it should be evacuated, and that I may be immediately authorized to carry this measure into effect, at the same time instructing me in what manner it is to be done—how the people and settlers there at present are to be disposed of, and how remunerated for their cattle and the houses and improvements they will then be obliged to abandon. I do myself the honor to transmit\* your Lordship herewith a correct statement of the settlement of Norfolk Island as it stood when the late relief took place on the thirty-first day of March. Your Lordship will observe by this statement that Government possesses a large quantity of cattle there; and I have to request that I may be furnished with your Lordship's instructions how these cattle are to be disposed at the time the abandonment of that settlement may be determined on.

1810

30 April.

Norfolk  
Island.Evacuation  
of the island.Government  
cattle at  
Norfolk.

61. In respect to the settlements of Hobart Town and Port Dalrymple in Van Dieman's Land, I am not yet enabled to speak so decidedly as I could wish, the accounts of the latter place being very contradictory; but all accounts agree in giving the preference to the harbor of the River Derwent, which is safe, capacious, and very easy of access, whilst that of Port Dalrymple is dangerous and almost inaccessible, excepting for very small vessels. I therefore think I may safely pronounce that the settlement of Hobart Town is by far the most important and valuable of the two, and, consequently, that Port Dalrymple should be considered in future as dependent on it.† I shall, however, wait your Lordship's instructions respecting those settlements before I make any alterations in them. . . .

Settlement  
at Van  
Diemen's  
Land.

\* Not available.

† Lord Liverpool, in his despatch of 27th July, 1811, approved of this recommendation.

1810

30 April.

Death of  
Colonel  
Collins.Funeral  
expensesCollins's  
successor.Relief of the  
Marines at  
Hobart.Importance  
of Hobart  
Town.

62. It is with much concern that I have now to report to your Lordship the death of Colonel Collins, Lieutenant-Governor of Hobart Town, who departed this life on the twenty-fourth of last month at that settlement, very suddenly and unexpectedly. I received the official accounts of this mournful event on the 20th instant in a dispatch from Lieutenant Lord of the Royal Marines, on whom, as next senior officer on the spot, the command of the settlement devolved by that event. I enclose herewith for your Lordship's further information copies of two letters\* I received from Lieutenant Lord on the subject of the death of Colonel Collins and the expences of his funeral. Lieutenant Lord has gone to a much greater expence on this occasion than I think he was warranted in doing, and I have therefore refused my sanction to his bills for the amount which he has drawn on the Lords of the Treasury for. At the same time, I feel it my duty to recommend the payment of these bills to your Lordship's favorable and indulgent consideration, on account of the long services of the deceased, and out of respect to the memory of an old and deserving officer, who had held a high situation under the Crown at the time of his death, and, as it appears by Lieutenant Lord's letters, who possessed little or no property at the time of his decease, an account having been taken of his effects.

63. In consequence of the death of Lieutenant-Governor Collins, it is my intention to send down a trusty officer of the 73rd Regiment, in whose honor and integrity I can place unlimited confidence, to take the command and charge of the settlement of Hobart Town until I shall receive your Lordship's further instructions respecting it. Colonel Collins himself formerly, and Lieutenant Lord in his last dispatches to me, having stated the inadequacy of the military force at Hobart Town for its protection, and the keeping the settlers and convicts under due and proper restraint, I intend to send down a captain and a complete company of one hundred rank and file, which of itself will be quite a sufficient military force for that settlement. I therefore beg leave to submit to your Lordship that the detachment of Royal Marines now there should be immediately recalled, and that I may be authorized to send them Home by the first opportunity after the receipt of your Lordship's orders. I think it highly probable that most of the men of the detachment of marines will prefer remaining as settlers in the country to going Home, in which case I request I may be favored with your Lordship's instructions on this point, specifying what indulgences should be given them.

64. I consider the settlement of Hobart Town of very great use and importance, on account of its fine safe harbor and convenient situation for the South Sea whalers, and other shipping visiting those seas, to touch at for refreshment and repairs. I therefore

\* Ante, p. 321. The letters being practically identical, one only has been printed.

strongly recommend that an officer of rank and experience should be appointed from Home to be Lieutenant-Governor or Commandant of Hobart Town, still, however, keeping it dependent on this colony and under the control of the Governor-in-Chief. In my last despatch I took the liberty to recommend Lieutenant-Colonel Foveaux, of the 102nd Regiment, to your Lordship's favor and protection, as an officer of great merit, and one who has rendered most essential services to this colony, both here and at the subordinate settlements. Lieutenant-Colonel Foveaux is a man of very superior talents, and, in my judgment, the best qualified and fittest person I have ever met with in any country for improving and conducting an infant colony to maturity. I therefore most respectfully submit to your Lordship, and earnestly recommend, that Lieutenant-Colonel Foveaux should be appointed Lieutenant-Governor of Hobart Town, and that he should be sent out thither with as little delay as possible. Lieutenant-Colonel Foveaux being a man of strict honor and integrity, and so eminently well qualified for holding that situation with advantage to the public and credit to himself, I persuade myself he will do ample justice to my recommendation, and prove himself worthy of your Lordship's choice, should you be pleased to appoint him Lieutenant-Governor of Hobart Town.

1810

30 April.

Foveaux's  
claims and  
qualifica-  
tions.

65. As soon as I have visited the different districts and interior parts of this colony, and made the necessary arrangements for settling, improving, and cultivating some of the best of the forest lands, it is my intention to visit the settlements of Hobart Town and Port Dalrymple, in Van Diemen's Land, with the view to correct any existing abuses, and establishing such new regulations as may then appear to me to be necessary for improving the condition of the settlers, and general system of governing them. In the meantime it is my intention to satisfy the demands of the Norfolk Island settlers there, in as far as the means of Government will admit of my doing. The claims of those poor men, on account of being withdrawn from Norfolk Island to the Derwent, have remained so long unpaid that their patience is now nearly exhausted, and it is but just that these claims should be now finally settled.

Macquarie  
proposes to  
visit Van  
Diemen's  
Land.

Settlers  
from Nor-  
folk.

66. In my last despatch I did myself the honor to inform your Lordship of the capture and destruction of the ship *Boyd*, bound from hence to England, and which had touched at New Zealand, where she was treacherously seized, and the whole of her crew and passengers (with the exception of two or three) most cruelly massacred by the natives of that country, headed by their chief, Tip-pa-hee. These melancholy accounts have been since confirmed beyond a doubt by other vessels that have touched at New Zealand, and I now do myself the honor to enclose\* your Lordship the

Seizure of  
the *Boyd*.

\* The enclosure (a reprint from the *Sydney Gazette*) is omitted. The statements on which it was framed are given at length, ante, pp. 259, 262, 314, and 329.

1810 copies of papers containing a more circumstantial account of this  
 30 April. event than the one I formerly transmitted to your Lordship. It will be necessary that the South Sea whalers, and other ships trading in the South Seas, should be apprized of this melancholy event, in order that they may be more vigilant and on their guard against a similar act of treachery when they may have occasion to touch at these islands.

*[Paragraphs 67 and 68 merely contained a repetition of paragraphs 5 and 6 of Macquarie's despatch of 12th March, 1810, ante, p. 312 and 313, and have therefore been omitted.]*

War at  
Otaheite.

The mission-  
aries.

69. I have also to report to your Lordship that a most serious insurrection and rebellion against the reigning prince broke out lately at Otaheite, which obliged the King to fly and take refuge in one of the neighbouring islands. I transmit herewith a copy of King Pomare's letter,\* addressed to Colonel Paterson, on the subject of the rebellion of his people. The missionaries from England, who were settled at Otaheite, were also compelled to quit it, and seek an asylum here, where they arrived lately to the number of seven persons. They were in great distress, and I have consequently afforded them protection and support by victualling them and their families from the public store until such time as they can provide for their own maintenance by their industry in their respective avocations; and I trust your Lordship will approve my conduct in this instance. I enclose herewith, for your Lordship's information, the copy of a letter addressed to me by these missionaries on their arrival here from Otaheite.†

The  
currency.

70. There is one circumstance to which I beg your Lordship's most serious attention, as on it seems to hinge much of the future prosperity of this colony. In consequence of there being neither gold or silver coins of any denomination, nor any legal currency, as a substitute for specie in the colony, the people have been in some degree forced on the expedient of issuing and receiving notes of hand to supply the place of real money, and this petty banking has thrown open a door to frauds and impositions of a most grievous nature to the country at large. The persons principally concerned in this nefarious practice are to be found amongst the lowest orders of society, and not infrequently among the convicts themselves, such being the credulity of the people that the notes of hand issued by these wretches are taken and passed into as free a circulation as if guaranteed by the best securities. When a considerable quantity has been thus disposed of, the issuers either actually become insolvent or declare themselves so, in order to defraud their unwary creditors. Injurious, however, as this system is to the public, it cannot be totally laid aside until some other and better is substituted in its stead. At present the

Notes of  
hand.

Valueless  
paper.

\* Ante, p. 222.

† Ante, p. 290.

agricultural and commercial pursuits of the territory are very much impeded and obstructed by the want of some adequately-secured circulating medium. I beg, therefore, to propose to your Lordship's consideration the establishment of a Government Colonial Bank, under the name of "The New South Wales Loan Bank," and as nearly as possible on the same system and principles as the Government Loan Bank at the Cape of Good Hope. When at the Cape on my way hither, I learned from the Governor, Lord Caledon, that a Loan Bank had been established there about the year 1782 by the Dutch East India Company, and that it continued to render incalculable service to that settlement. The plan of this bank, whilst it appears to me very simple, seems to combine greater advantages and better security than any other I am acquainted with. A specific fund is created by the Government, under the inspection and control of the fiscal and some other of the highest civil officers of the Government, and this currency is deposited in the Loan Bank; from hence it is put into circulation by being lent out to the landholders, on mortgage of their lands, at six per cent. per annum. By the aid derived from this fund, the landholders have been enabled to make exertions in the improvement of their farms, which had been previously impracticable, and the lands become the best of all securities for the value of the notes so issued. Thus, whilst in England the Government issues a paper circulation in Exchequer bills, for which it pays the subscribers an interest of nearly five per cent., here the Colonial Bank issues in like manner a paper medium; but, instead of paying for its circulation, it receives six per cent. from its subscribers—a striking contrast, whereby the Cape Bank, at the same time that it renders a most essential service to the public, makes a difference in favour of Government of nearly eleven per cent. from what the Exchequer bills yield in England. The total amount of the rix dollars in circulation at the Cape is rather more than two millions, which at par (four shillings to the dollar) is five hundred thousand pounds sterling, part secured on private mortgages, as already stated, and a part which has been put into circulation by Government is secured by the Government domains. It is issued as cash, and is a legal tender, received in all payments by Government and at all the public offices. I have been the more minute, my Lord, in this description of the Loan Bank at the Cape, as it appears to me the most perfect model in all its parts that could be possibly adopted here. The plan of it was derived from the famous Bank of Pennsylvania, in North America, founded early in the last century. Having written so much on this subject, I shall not trouble your Lordship at the present time with entering into the detail of the capital and mode of direction which I should propose for the carrying this scheme into execution, but reserve it for the subject of a future dispatch; and I sincerely hope your

1810

20 April.

A local  
bank.The bank  
the Cape.Exchequer  
bills.

Rix dollars.

A model  
bank.

1810 Lordship's sanction will be extended to my founding an establishment here on these or such other principles as may appear more likely to produce the much-desired effect.\*

30 April.

[Paragraph 71, being a repetition of paragraph 42 of Macquarie's despatch of 8th March, 1810 (*ante*, p. 307), has been omitted.]

The Lieut.-  
Governor  
and the  
Judge-  
Advocate.

72. I have great pleasure in reporting to your Lordship that during the short period I have already administered the affairs of this colony, I have derived very able advice and assistance from Lieutenant-Colonel O'Connell, the Lieutenant-Governor, as well as from Mr. Bent, the Judge-Advocate, both of whom are highly respected in the colony by all classes of the inhabitants; and I consider myself most fortunate indeed in having two such able and respectable public officers to support my Government, and to consult and advise with in all difficult and important cases.

Provisions  
and stores.

73. With the view to give your Lordship all possible information on the subject of the state I found the colony in at the time of my taking charge of it, I had a regular survey taken of all the provisions and naval and military stores at that period remaining in the country.

Buildings  
and boats.

I have also caused to be taken a regular and accurate survey of all the Government buildings of every description, and likewise of all the small craft or Colonial vessels and boats, specifying the amount of the expense of completing and repairing them.

The  
Governor's  
body guard.

74. . . . The party of mounted infantry, usually denominated the Governor's body guard, and originally established by Governor King, has hitherto consisted of only eight troopers; but as I find it a very useful establishment for forwarding expresses, and conveying intelligence from one part of the country to the other, I intend to increase it to one serjeant, one corporal and twelve private troopers, and as the men are borne on the strength of the 73rd Regiment, no additional expence is incurred to Government on account of this establishment, except the trifling cost of their appointments. I therefore trust your Lordship will have the goodness to approve and confirm this establishment, and direct the demand for their clothing and appointments to be complied with.†

Pardons and  
land grants.

75. The immense quantity of land, as well as the great number of free and conditional pardons granted by the officers administering the usurped Government between the period of the arrest of Governor Bligh and my taking charge of this territory, render it a necessary (tho' a painful) duty that I should make a regular report thereon to your Lordship. I am sorry to observe that many grants of land have been made and numerous pardons given

\* By proclamation, dated 30th June, 1810, post, p. 390, Macquarie attempted to deal tentatively with the abuses of which he complains in this paragraph.

† See the Secretary of State's reply to this letter (26th July, 1811, post, p. 564). He did not approve of the proposed augmentation.

to persons very undeserving of them, and who had no claim whatever on Government for such extraordinary indulgences. On the other hand, however, many very deserving and meritorious persons have also got grants of land and pardons. The latter, agreeably to the spirit of my instructions, I shall have great pleasure in renewing, in my own name, in due time, when more fully acquainted with the claims and merits of the individuals. With regard to the former description of persons, I shall be extremely cautious not to renew their grants or pardons without orders from Home, or until by their meritorious conduct, they may prove themselves worthy of such distinguished favor. . . .

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76. I have been myself induced to grant more free pardons than I could have wished ; but in order to enable a number of women who had lived for many years with, and had children by, soldiers of the 102nd Regiment, to marry those men and accompany them Home, I judged it expedient with that view to grant them free pardons, as it relieved the Government from the expence of victualling and supporting those unfortunate women and their children. I have heretofore renewed very few grants of land. . . .

Female  
convicts.

77. As persons coming out as settlers bring orders with them from His Majesty's Ministers for large grants of land in particular specified parts of the colony, as well as for specified numbers of Government servants and cattle, and as this practice is attended with very serious inconvenience to the public service, and occasions constant murmurings and complaints from the individuals themselves when they happen to be disappointed in getting the full extent of the orders they bring out, I most respectfully submit to your Lordship that in future it should be left to the discretion and judgment of the Governor in what part of the colony he should make such grants, leaving it equally discretionary with him the number of Government servants and cattle he should assign to settlers of this description. With this latitude he would of course distribute to each in due proportion to the number of convicts in the country, and the strength of the Government herds respectively, without prejudice or inconvenience to the public service.

Grants to  
free innu-  
grants.

78. As there are now a considerable number of opulent merchants and others residing in the town of Sydney, who would build handsome and permanent houses if they could obtain grants instead of leases of the grounds, I respectfully submit that I may be permitted to use my discretion in giving persons of this description permanent grants to build upon, both here and in the other parts of the territory. Mr. Robert Campbell and Mr. Simeon Lord, both opulent and respectable merchants, having already built very spacious and elegant houses and warehouses in the town

Grants of  
town lands.

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30 April.

of Sydney, at a very great expence, I have taken the responsibility on myself of promising to convert their leases into permanent grants; and I conceive it would be good policy to extend the same indulgence to all such other persons as are able and willing to erect substantial and handsome buildings within the town. It will be my particular study to have edifices of all descriptions within the town built on a regular plan, so as to combine convenience with ornament, and preserve the regularity of the streets and houses.

Meat for the  
Governor's  
table.

79. I find it has been usual with most, if not all, my predecessors, the former Governors of this colony, to have their tables supplied with beef and mutton from the herds of Government cattle; but, on enquiry, I cannot discover on the records of Government, or in orders from Home, anything to warrant or sanction this practice. The Commissary, however, has assured me that all the former Governors had their tables thus supplied from the Government herds, and on that principle I have heretofore pursued the same course, and mean to continue it until I shall receive your Lordship's sentiments on the subject. In the meantime, I have ordered the Commissary to keep a correct account of all the beef and mutton that shall be thus supplied to my table, in order that I may hereafter pay for it if the practice should not be sanctioned from Home, as I should be extremely sorry to avail myself of any indulgence of this nature, however prescription might be in its favor, unless it met the entire approbation of His Majesty's Ministers. In justice, however, to myself and the high situation I hold, I must observe that, without some indulgence of this kind was allowed, it would be impossible for the Governor of this country on the present limited salary to exercise that hospitality and support that rank and dignity which his high situation demands. I therefore respectfully submit to your Lordship whether it may not be advisable that the practice in question should be fully authorized from Home so long as the Government herds are continued to be maintained. Most of the former Governors have had private farms of their own also, on which they had the means of rearing large and very profitable herds of cattle; but this is a practice I am determined never to resort to, as I conceive it is perfectly incompatible with the situation of Governor in this country to have any farms or stock of cattle on his own personal account.

A necessary  
perquisite.

Officers of  
the 73rd.

80. I take the liberty to transmit to your Lordship herewith a memorial addressed to me by the officers of His Majesty's 73rd Regiment,\* and which I most respectfully request may be submitted to His Majesty for his gracious and favorable consideration and decision, and I indulge a hope that your Lordship will be kindly pleased to give it your own sanction and support. Were I not convinced from my own experience and observation since

\* Ante, p. 334.

my arrival here that the representation now made by the officers of the 73rd Regiment of the inadequacy of their pay to support their rank is just and well founded, I should not presume to transmit it to your Lordship. Under the conviction that they labor under unconquerable difficulties in maintaining themselves in the character of gentlemen on their present pay, I take the liberty most earnestly and strongly to recommend that an adequate Colonial allowance may be granted to enable them to support their rank as British officers in a suitable and proper manner. I shall not presume to say what the Colonial allowance ought to be, but it should certainly be sufficient to preclude the painful necessity of their resorting to any low or unmilitary occupations, either mercantile or agricultural, for additional means of support; and I am sorry to add that such has been too frequently the case with the officers of the 102nd Regiment. Such pursuits and avocations being subversive of all military discipline, and incompatible with the rank and character of officers in His Majesty's service, I shall take care that no officer in the 73rd Regiment shall resort to such improper expedients.

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Rank and  
pay of  
officers.

81. As this colony will labor under great inconvenience and distress until the different supplies, herein enumerated, shall arrive from England, I once more take the liberty to intreat that they may be sent out with all possible dispatch; and as His Majesty's ship *Dromedary*, now proceeding to England, is extremely well calculated for the purpose, being a large, strong, roomy ship, and commanded by a very skilful, able navigator, Mr. Pritchard, I most respectfully submit and strongly recommend that she may be employed and sent out again as soon as possible after her arrival in England with the provisions and other supplies for the use of this colony.

Supplies  
from  
England.

82. During the absence of Mr. Palmer, the Commissary, in England, the senior deputy, Mr. William Broughton, is to act as Commissary; and as Mr. Palmer goes Home on duty, it is but reasonable that he should continue to draw the whole of his own salary. At the same time, as Mr. Broughton will bear the whole of the responsibility, and have a great deal of additional duty to perform, it is equally reasonable that his salary should be increased during the time he may continue to act in that capacity. I therefore beg to recommend strongly that Mr. Broughton may be allowed a salary equal to that of Mr. Palmer, during the absence of the latter gentleman, and that he may be allowed to draw on the Lords Commissioners of the Treasury for that increased salary, instead of his present one, as Deputy Commissary. Mr. Broughton is a man of considerable merit, and has been extremely serviceable in the office of the Commissariat, in which he has always evinced great zeal and integrity. In justice to his merits, during a long course of service here, I feel it a duty incumbent on me to

The Com-  
missary's  
department.

1810 recommend him to your Lordship's favor and protection, and as  
30 April. particularly well qualified for discharging the important duties of  
Chief Commissary whenever that office may become vacant.

Deputy Com- 83. I beg leave to report to your Lordship that I have appointed  
missary. Mr. James Wilshire (late storekeeper) to act as Deputy Commis-  
sary in the room of Mr. Williamson, some time ago reduced by  
the sentence of a General Court-Martial, until His Majesty's  
pleasure shall be known ; and I take the liberty to recommend  
that this gentleman's appointment may be confirmed.

Officers employed under Bligh. 84. It is proper I should state to your Lordship that, altho' by  
my proclamation of the fourth of January it was announced that  
all persons who held offices at the time of the arrest of Governor  
Bligh should be reinstated, and restored to the exercise of the  
duties of the same, yet I found, on a strict enquiry, it would be  
necessary to the public service to deviate from this rule in some  
particular instances. These, however, were fortunately very few,  
and those only such as were totally incapacitated for them.  
Among these few were Mr. Nicholas Divine, Chief Superintendent  
of Convicts. This man is old and infirm, and very deaf, and had  
frequently been very remiss and negligent in his office, which,  
being of a very important nature, requires an active, zealous, and  
resolute person to perform the duties of it properly. I therefore  
removed him and appointed Mr. Isaac Nicholls to be his successor,  
for which situation he is particularly well qualified, being a most  
zealous, active, and useful man. Mr. Divine, however, having  
served many years in this country, and being an honest, well-  
behaved man in other respects, I have made him an allowance of  
two shillings and sixpence per day for his maintenance 'till I  
should receive your Lordship's commands respecting him. He  
goes Home now as one of Governor Bligh's evidences, and I take  
the liberty to recommend him to your Lordship's indulgent  
consideration.

Nicholas Divine. The Govern- 85. There have been a Government press and printer here for  
ment print- some years past, which are very useful and necessary for promul-  
ing press. gating and circulating throughout the territory all the orders of  
the Government ; but no allowance has been yet ever made to the  
printer, who incurs a very considerable expence in providing the  
stationary required for these purposes. I respectfully submit  
that an allowance of sixty pounds per annum may be made to the  
printer from the first of January last, and that it may be included  
in the Parliamentary estimate.

\* \* \* \* \*

The stoppage for 87. Owing to occasional scarcities of animal food and dry pro-  
rations. visions, it very frequently and unavoidably happens that the  
troops are for long periods put on reduced rations ; and as the  
necessity of recurring to this painful measure often occurs, it

appears unreasonable that the regular prescribed deduction for full rations should be made from the soldiers' pay throughout the whole year. I therefore beg to submit this circumstance to your Lordship's consideration, and request I may be instructed how to act on this particular point, respectfully suggesting that possibly it would be more advisable to make no stoppage whatever for provisions from the pay of troops serving in so distant a colony as New South Wales. The Corps last stationed here has been only of late charged with rations, no stoppage having been formerly made from their pay on that account.

88. The Lords Commissioners of His Majesty's Treasury having permitted the wives and children of the soldiers of the 73rd Regiment to come out with them to this country, I have taken the responsibility on myself of victualling them from His Majesty's stores, and shall continue to do so until I receive your Lordship's more particular instructions on this head, as I conclude such must have been the intention of the Lords Commissioners of the Treasury at the time they sanctioned their coming hither, there being no other possible means of supporting them. Besides the women and children who came out with the 73rd Regiment, a great number more have lately joined it with the volunteers from the 102nd Regiment. I herewith do myself the honor to transmit to your Lordship a return of all the women and children belonging to the 73rd Regiment, now victualled from the King's stores; and should it not be deemed advisable to continue to victual them all at the expence of the Crown, I request I may be instructed to what proportion of them that indulgence is to be extended.

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30 April.

Soldiers' wives and children.

\* \* \* \* \*

91. Notwithstanding all my anxiety to observe the most rigid and strict economy in the public expenditure, and not to sanction any purchase that was not absolutely and essentially necessary for the use of the colony, and the carrying on the public service, I am sorry to say the amount of the bills I have been under the necessity of authorizing the Commissary to draw on the Lords Commissioners of His Majesty's Treasury far exceeds what I expected would have been required in the first quarter of my government; but on my taking charge of the colony on the first of January last, the King's stores were exhausted of all sorts of dry provisions, which obliged me to purchase grain and potatoes at very advanced prices. The convicts also, being almost naked for want of slops, laid me under the necessity of purchasing many articles of clothing at very high prices. I had also to purchase and send off very considerable supplies of provisions to the settlements of the Derwent, Port Dalrymple, and Norfolk Island, and to provide six months' supplies of provisions and other stores for His Majesty's ships Hindostan, Dromedary, and Porpoise. A considerable expence has also been incurred in fitting out those ships for the reception of the 102nd

Expenditure.

Unexpected expenses.

- 1810  
30 April. Regiment, by the purchase of canvas to make soldiers' hammocks, and in various other articles for making and fitting up cabins for the officers and their families. Besides the supplies above adverted to, a quantity of contract wheat, rice, sugar, and spirits imported from Bengal has been paid for by bills on the Treasury; and when your Lordship takes all these circumstances into consideration, I trust you will not attribute any blame to me in giving my sanction to the purchases that have been made.
- Prospects of  
a good  
harvest. 92. I have great pleasure in acquainting your Lordship that there is every appearance of a very abundant harvest of maize this season, and far finer crops than have been remembered in the colony for several years past. The farmers are now preparing the ground for wheat, and I hope they will be equally successful in their crops of that essential grain. But, lest they should be disappointed, from a recurrence of the inundation of the Hawkesbury or any other cause, I have deemed it expedient to form a contract with Messrs. Lord and Williams, a respectable mercantile house of this place, to import two hundred tons of Bengal wheat, so as to guard against any eventual scarcity, and they have stipulated to deliver it here early in January next. As they have contracted to deliver good merchantable wheat at so very low a price as sixteen pounds per ton, I have granted them permission to import twenty thousand gallons of Bengal rum at a moderate price. This indulgence enables them to furnish Government with wheat at the above-mentioned comparatively low price; and, as spirits to a certain extent must be permitted into the colony, this indulgence in the present instance is in reality an advantage to Government.
- Wheat from  
India. 93. As I conceive the making permanent roads and bridges is one of the first steps towards improving a new country, I have resolved on making a turnpike road between the town of Sydney and the Hawkesbury—a distance of upwards of forty miles. The present road, which is scarcely intitled to that name, is in so bad a state of repair as to be scarcely passable; but when properly made will prove of infinite advantage to the country at large, as it will afford great facility to the farmers, graziers, and other inhabitants to bring their grain, cattle, and various other produce to the public market at Sydney. The funds to defray the expence of making this road and erecting the necessary bridges will be advanced, in the first instance, out of the Colonial Fund, which I have recently formed; but this advance is to be repaid, with interest, from the produce of the tolls to be established on the road when finished. I indulge a hope that this measure, as being of great public utility, will meet your Lordship's sanction and approbation.
- Roads and  
bridges. 94. I was very much surprized and concerned, on my arrival here, at the extraordinary and illiberal policy I found had been
- Cost of con-  
struction.
- The emanci-  
plists.

adopted by all the persons who had preceded me in office respecting those men who had been originally sent out to this country as convicts, but who, by long habits of industry and total reformation of manners, had not only become respectable, but by many degrees the most useful members of the community. Those persons have never been countenanced or received into society. I have, nevertheless, taken upon myself to adopt a new line of conduct, conceiving that emancipation, when united with rectitude and long-trying good conduct, should lead a man back to that rank in society which he had forfeited, and do away, in as far as the case will admit, all retrospect of former bad conduct. This appears to me to be the greatest inducement that can be held out towards the reformation of the manners of the inhabitants, and I think it is consistent with the gracious and humane intentions of His Majesty and his Ministers in favor of this class of people. I am aware it is a measure which must be resorted to with great caution and delicacy; but I am hopeful that in time it may be extended beyond the line within which I must restrict myself for the present. The number of persons of this description whom I have yet admitted to my table consist of only four, namely, Mr. D'Arcy Wentworth,\* Principal Surgeon; Mr. William Redfern, Assistant Surgeon; Mr. Andrew Thompson, an opulent farmer and proprietor of land; and Mr. Simeon Lord, an opulent merchant. Three of these persons have acquired property to a large amount; they have long conducted themselves with the greatest propriety, and I find them at all times ready to come forward in the most liberal manner to the assistance of Government. In order to mark my sense of the merits of Mr. Andrew Thompson, I have already appointed him a justice of the peace and magistrate at the Hawkesbury, where he has a large property; and I intend to confer the same marks of distinction on Mr. Wentworth and Mr. Simeon Lord when vacancies in the magistracy at Sydney, where they both reside, may occur.†

1810  
30 April.

The effect of  
emancipa-  
tion.

Colonial  
magnates.

95. This dispatch will be delivered to your Lordship by Captain John Pasco, commander of His Majesty's ship Hindostan, whom I take the liberty to recommend to your Lordship's favor and protection. In justice to his merits, I feel it a duty incumbent on me to state to your Lordship that nothing could exceed the zeal, assiduity, and attention of Captain Pasco in navigating and safely conducting to their destination the two ships carrying the 73rd Regiment and myself. I take the liberty to add that he is an officer of great merit, and was distinguished by the immortal Nelson, when acting under his immediate eye on board the Victory at the memorable Battle of Trafalgar, in which he received a

Captain  
Pasco.

\* D'Arcy Wentworth was not an emancipist; he came out as a free man.

† Wentworth and Lord were appointed Justices of the Peace and Magistrates on 17th May, 1810—post, p. 381.

1810

30 April.

An intend-  
ing settler.

wound. Captain Pasco has now been a commander a long time ; and I should feel myself highly obliged to your Lordship if you would be kindly pleased to recommend him for promotion. Captain Pasco, being a married man, and having a family, is very desirous to return to this colony and become a settler, in case he should be so fortunate as to obtain the rank of post-captain ; and, as I think him eminently well qualified for the situation of Naval Officer at this port, I beg leave to recommend him for that office, in the event of your Lordship's being pleased to permit him to return to this country. I feel confident that Captain Pasco would be extremely useful to me as Naval Officer, from his knowledge in maritime and commercial affairs, and I have no doubt he would discharge the duties of this office with credit to himself and advantage to the public, being a man of great honor and integrity.

Marsden and  
Cartwright.

96. I omitted to mention in my former despatch that the Reverend Mr. Marsden, the principal chaplain of the colony, has returned to his duty here, having arrived in the transport ship *Anne* on the twenty-seventh day of February last. The Reverend Mr. Cartwright, lately appointed a chaplain for the colony, arrived in the same ship, and is now doing duty at the Hawkesbury.

Commodore  
Bligh.

97. Commodore Bligh, who has hitherto resided on shore since his return from the *Derwent*, having now nearly finished and completed his business here and preparations for his voyage, embarked on board the *Hindustan* on the twenty-seventh instant, and assures me he will sail in a week hence at furthest, and I sincerely hope he will not defer his departure longer.\*

Colonial  
officers.

98. I do myself the honor of transmitting herewith for your Lordship's information a list and return of persons, civil and military, holding offices under the Government of New South Wales and its dependencies, made according to the latest returns.

Macquarie  
honoured by  
appoint-  
ment.

Before I conclude this despatch, permit me to express my grateful acknowledgements to your Lordship for the appointment I have now the honor to hold, and to assure your Lordship that, as far as my judgment and abilities extend, I shall exert them in the faithful discharge of the trust reposed in me, with the hope that in the wide field for improvement here my services may not be unimportant, and that they will ultimately meet with the approbation of my sovereign and His Majesty's Ministers, and thereby confirm the opinion you did me the honor to form in my favour.

I have, &amp;c.,

L. MACQUARIE.

\* Although Macquarie did not commit himself to a direct expression of opinion concerning ex-Governor Bligh, it is evident, from his curt allusions, when not absolutely silent, that they were not on very cordial terms, especially towards the end of Bligh's stay.

[Enclosure.]

GENERAL STATEMENT of the Inhabitants in His Majesty's settlement on the Eastern Coast of New South Wales,  
with an Estimate on the remains of Provisions in the Public Stores, 1st March, 1810.

POPULATION.

	Civil Department Victualled.																Military Department Victualled.																			
	Governor and Commander-in-Chief.	Lieutenant-Governor.	Deputy Judge-Advocate.	Commissary.	Principal Surgeon.	Deputy Provost-Marshal.	Secretary to the Governor.	Clergy men.	Assistant Surgeons.	Surveyor of Lands.	Deputy Surveyor of Lands.	Deputy Commissaries.	Boat Builder.	Clerks to the Commissary.	Superintendents and Storekeepers.	Women of the Civil Department.	Children above 2 years.	Total of the Civil Department Victualled.	Colonel.	Lieutenant-Colonel.	Major.	Captains.	Lieutenants.	Ensigns.	Adjutant, Paymaster, and Quarter-master.	Surgeons.	Assistant Surgeons.	Serjeants and Corporals.	Drummers and Fifers.	Privates.	Women.	Children above 10 years.	Children under 2 years.	Total of the Military Department Victualled.		
At Sydney	1	1	1	1	1	1	1	1	1	1	1	1	1	2	8	1	3	..	24	1	3	1	12	21	8	6	2	2	138	30	1037	203	34	275	60	1853
" Parramatta	..	..	..	..	..	..	..	2	1	..	..	..	..	..	6	..	..	8	..	..	..	1	1	1	..	..	..	..	2	72	14	..	33	7	139	
" Hawkesbury	..	..	..	..	..	..	..	1	1	1	1	2	..	..	1	..	..	6	..	..	..	..	1	..	..	..	..	..	1	..	23	2	..	5	..	32
" Newcastle	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	1	..	..	..	..	1	..	..	..	..	..	3	..	21	..	..	..	25	
General Total	1	1	1	1	1	1	1	4	3	1	1	3	1	2	15	1	3	83	1	3	1	13	24	9	6	2	2	150	32	1173	219	34	313	67	3049	

1810  
30 April.  
Vital statistics.

1810

30 April.

Vital  
statistics.

## GENERAL STATEMENT of the Inhabitants in His Majesty's settlement, &amp;c.—continued.

	Free Persons Victualled.						Prisoners Victualled from the Public Stores.						No. of different Rations.				Total No. of Persons Victualled from the Stores.				People not Victualled from the Public Stores.				Settlers not Victualled from the Public Stores.		Total No. of Souls in the Settlement.				Week's provisions in the Public Stores.			
	Men.	Women.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Total No. of Free Persons Victualled.	Men.	Women.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Total No. of Prisoners.	At Full.	At Two-thirds.	At Half.	At One quarter.	Total No. of Full Rations.	Men.	Women.	Children.	Total Number.	Men.	Women.	Total No. of Settlers.	Salted Beef.	Salted Pork.	Wheat and Rice as Flour.	Sugar.						
At Sydney	141	121	..	20	..	11	293	792	63	658	23	942	2,245	428	356	83	2,728	3,112	986	939	1,012	2,937	98	9	107	9	1,566	..	..	..	..			
" Parramatta	..	32	47	..	..	67	12	3	161	243	65	..	8	4	320	371	126	108	23	515	628	381	298	396	985	187	7	194	1,807	..	..	..	..	
" Hawkesbury	..	134	15	..	..	93	1	..	243	51	7	..	25	23	106	216	24	120	24	300	387	539	407	620	1,606	430	6	436	2,389	..	..	..	..	
" Newcastle	..	..	..	..	..	3	2	..	5	46	16	..	4	3	69	72	16	7	5	87	100	..	..	..	..	..	100	..	..	..	..	..	..	..
General Total	307	183	..	183	15	14	702	1,132	151	695	53	1,437	2,904	594	594	135	3,630	4,227	1,906	1,644	1,938	5,488	715	22	737	10,463	123	15	14	11	..	..	..	..

Rations under issue. — Seven pounds of beef or four pounds of pork; eleven and a half pounds of wheat; six ounces of sugar, or in lieu thereof one pound of wheat.

L. MACQUARRIE, Governor-in-Chief of N.S. Wales.

[Enclosure.]

GENERAL STATEMENT of the Inhabitants in His Majesty's settlements at Norfolk Island, Port Dalrymple, and Hobart Town, Van Diemen's Land, as accounted for by the respective Returns transmitted to Head-quarters.

	Civil Department Victualled.																Military Department Victualled.																			
	Governor and Commander-in-Chief.	Lieutenant-Governor.	Deputy Judge-Advocate.	Commissionary.	Principal Surgeon.	Deputy Provost-Marshal.	Secretary to the Governor.	Clergymen.	Assistant Surgeons.	Surveyor of Lands.	Deputy Surveyor of Lands.	Deputy Commissaries.	Beach-master.	Overseers.	Superintendants and Storekeepers.	Women of the Civil Department.	Children above 2 years of age.	Children under 2 years of age.	Total of the Civil Department Victualled.	Colonel.	Lieutenant-Colonel.	Major.	Captains.	Lieutenants.	Ensigns.	Adjutant, Paymaster, and Quartermaster.	Surgeons.	Assistant Surgeons.	Sergeants and Corporals.	Drummers and Fifers.	Privates.	Women.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Total of the Military Department Victualled.
At Norfolk Island ..	..	..	..	..	..	1	..	..	1	..	..	..	1	..	3	..	..	..	6	..	..	..	..	1	..	..	..	..	..	4	2	28	7	5	..	47
„ Port Dalrymple ..	1	..	..	..	..	..	..	..	1	..	1	1	..	..	2	4	2	..	12	..	..	..	1	1	1	..	..	..	..	8	2	48	17	39	..	117
„ Hobart Town ..	1	1	1	1	1	..	..	1	1	1	1	1	1	3	5	4	1	1	21	..	..	..	..	2	..	..	..	..	6	2	37	12	5	14	78	
General Total ..	2	1	1	1	1	1	1	1	3	..	2	2	1	3	10	8	3	1	39	..	..	..	1	4	1	..	..	..	18	6	113	36	49	14	242	

1810  
30 April.  
Population,  
Norfolk  
Island and  
Van  
Diemen's  
Land.

1840  
30-April.  
Population,  
Norfolk  
Island and  
Van  
Diemen's  
Land.

GENERAL STATEMENT of the Inhabitants in His Majesty's Settlements at Norfolk Island, &c.—*continued.*

[Enclosure.]

	Free Persons Victualled.							Prisoners Victualled from the Public Stores.					Number of different Rations.					People not Victualled from the Public Stores.					Settlers not Victualled from the Public Stores.					Total No. of Souls in the Settlement.		Week's Provisions in the Public Stores.			
	Men.	Women.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Orphans.	Total No. of Free Persons Victualled.	Men.	Women.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Total No. of Prisoners Victualled.	At Full.	At Two-thirds.	At Half.	At One-quarter.	Total No. of Full Rations.	Total No. of Persons Victualled from the Stores.	Men.	Women.	Children.	Total Number.	Men.	Women.	Total Number of Settlers.	Total No. of Souls in the Settlement.	Beef and Pork.	Wheat, Maize, Rice, and Sugar as Wheat.	Sugar.			
At Norfolk Island	61	18	16	16	7	3	98	25	1	..	..	..	26	130	26	21	..	150	177	..	..	..	..	..	..	..	..	177	91	36	..	..	
Port Dalrymple	21	10	7	..	4	..	38	55	11	..	..	..	70	143	42	52	..	197	237	10	12	..	92	..	..	..	..	259	91	39	27	..	..
Hobart Town	273	151	92	74	70	37	687	166	12	..	..	..	178	538	272	79	85	782	974	48	40	..	88	..	..	..	..	1,082	131	74	24	..	..
General Total	355	179	92	97	70	40	833	246	24	4	..	..	274	811	340	152	86	1,138	1,388	58	52	..	110	..	..	..	..	1,498	..	..	..	..	..

*Date of the Returns.*—Norfolk Island, 31 March, 1819; Port Dalrymple, 24 February, 1810; Hobart Town, 31 January, 1810.

L. MACQUARIE, Governor-in-Chief of New South Wales.

# AGRICULTURAL RETURNS.

363

[Enclosure.]

STATEMENT of the Land in Cultivation, &c., the Quantities of Stock, &c., as accounted for at the General Muster in His Majesty's Colony of New South Wales, between 1st and 22nd day of February, 1810, taken agreeably to the Order of His Excellency the Governor by His Honor Lieutenant-Governor O'Connell.

To whom belonging.	Number of Acres in—											Horses.		
	Wheat.	Malze.	Barley.	Oats.	Pease and Beans.	Potatoes.	Turnips.	Orchard.	Hops.	Fallow.	Pasture.	Total held.	Male.	Female.
To the Crown .. .. .	..	....	..	..	....	....	....	....	..	.....	.....	.....	38	22
To Settlers, &c., at Sydney and its vicinity ..	..	476	..	..	4	33½	1½	230	4½	2,005½	20,049½	24,301	141	143
To Settlers, &c., at Parramatta and its vicinity ..	..	1,235	..	..	4	77½	1½	264	1	4,974½	86,020½	42,627½	152	201
To Settlers, &c., at Hawkesbury and its vicinity ..	..	4,508½	10	..	1½	25½	7	252½	..	5,214½	18,598½	23,708½	190	27
Total .. .. .	..	6,359½	10	..	6	136½	10½	746½	5½	12,794½	75,563½	96,637	521	593

1810.  
30 April.  
Agricultural  
statistics.

1810  
30 April.  
Live stock.

STATEMENT of the Land in Cultivation, &c., the Quantities of Stock, &c.—continued.

To whom belonging.	Horned Cattle.			Sheep.		Goats.		Hogs.		Bushels of Wheat in Hand.	Bushels of Maize in Hand.	Whether Victualled or not Victualled by Government.						Number of Free Men Employed.	Total Number in Family.					
	Bulls.	Cows.	Oxen.	Male.	Female.	Male.	Female.	Male.	Female.			Pro-prietor.	Wife.	Child'n.	Con-vict.	Not.								
To the Crown .. .. .	18	1,673	1,818		211	573																		
To Settlers, &c., at Sydney and its vicinity ..	64	1,678	951		1,201	2,432	23	90	577	490	2,927	809	23	90	5	95	13	240	33	58	92	649		
To Settlers, &c., at Parramatta and its vicinity	79	1,994	1,263		6,326	10,861	160	428	1,330	1,061	9,161	24	21	183	23	153	41	287	19	156	128	1,011		
To Settlers, &c., at Hawkesbury and its vicinity	32	1,006	700		2,951	8,203	286	747	2,855	2,659	14,298	100	36	455	12	316	87	595	33	217	267	2,081		
Total .. .. .	193	6,351	4,732		10,749	22,069	469	1,263	4,762	4,280	26,386	433	80	723	40	564	141	1,122	90	431	457	8,691		

M. C. O'CONNELL, Lieut't-Governor.

[Enclosure.]  
A List of Persons holding Civil and Military Employments in His Majesty's Colony of New South Wales and its Dependencies.

Names	Appointments.	By whom Appointed.	Yearly Salary.	Remarks.
Lauchlan Macquarie, Esq.	Governor	The Crown ..	£ 2,000 0 0	— May, 1800 (etc.)
M. C. O'Connell, Esq.	Lieutenant-Governor	do ..	850 0 0	13 May, " "
Ellis Bent, Esq.	Judge-Advocate	do ..	850 0 0	1 Jan., " "
John Palmer, Esq.	Commissary	do ..	365 0 0	Suspended from his office by Col. Paterson.
Robert Fitz	Deputy Commissary	do ..	91 5 0	Confirmed by Governor Macquarie.
William Broughton	do	Lieutenant-Governor Foveaux ..	91 5 0	Confirmed by Governor Macquarie.
James Willshire	do	Lieutenant-Governor Foveaux ..	60 0 0	Confirmed by Governor Macquarie.
William Sutton	do	Lieutenant-Governor Foveaux ..	60 0 0	Confirmed by Governor Macquarie.
William Yates	do	Lieutenant-Governor Foveaux ..	91 5 0	1 August, 1805 (etc.)
William Gore	do	Lieutenant-Governor Foveaux ..	91 5 0	Confirmed by Governor Macquarie.
J. T. Campbell	Provost-Marshal	The Crown ..	No salary.	31 May, 1811 (etc.)
Henry Glenholm	Secretary	do	965 0 0	Confirmed by Governor Macquarie.
D'Arcy Wentworth	Naval Officer	Lieutenant-Governor Foveaux ..	136 17 6	do
James Milchan	Acting Surgeon	Lieutenant-Governor Foveaux ..	91 5 0	do
William Redfern	Assistant Surgeon	The Crown ..	91 5 0	Superannuated.
Edward Luttrell	do	Lieutenant-Governor Paterson ..	132 10 0	Confirmed by Governor Macquarie.
Augustus Alt	do	The Crown ..	91 5 0	do
James Meehan	Late Surveyor of Lands	Colonel Johnston ..	200 0 0	do
Geo. Wm. Evans	Acting	By do. for Port Dalrymple	200 0 0	do
Reverend Wm. Cowper	Assistant	The Crown ..	240 0 0	31 May, 1811 (etc.)
Do H. Fulton	Chaplain	His Excellency Governor King ..	350 0 0	Confirmed by Governor Macquarie.
Do Cartwright	do	do	91 5 0	do
Do Marden	do	Lieutenant-Governor Paterson ..	50 0 0	do
Charles Griffin	Boat-builder	His Excellency the Governor ..	75 0 0	do
Richard Fitzgerald	Storekeeper	Governor Hunter ..	50 0 0	do
John Gowen	do	Governor King ..	100 0 0	do
John Tucker	do	do	75 0 0	do
John Jamieson	Superintendent of Stock	Lieutenant-Governor Foveaux ..	50 0 0	do
Isaac Nichols	Superintendent	Governor Bligh ..	50 0 0	do
Richard Rouse	do	do	50 0 0	do
David Langley	do	do	50 0 0	do

The remarks in *italics* appear in lead pencil in the original.

1810  
30 April.  
Civil and  
military  
returns.

1810

30 April.

Civil and  
military  
returns.

## A List of Persons holding Civil and Military Employments in His Majesty's Colony, &amp;c.—continued.

Names.	Appointments.	By whom Appointed.	Yearly Salary.	Remarks.
Isaac Knight ..	Superintendent ..	Governor King ..	£ 50 0 0	Confirmed by Governor Macquarie. Extra Superintendents and Storekeeper not on the estimate, but receiving salaries in the colony from the Colonial Fund.
Francis Oakes ..	do ..	Governor Macquarie ..	50 0 0	
Richard Robinson ..	do ..	Colonel Johnston ..	50 0 0	
William Sherwin ..	Storekeeper ..	do ..	50 0 0	
Benjamin Barrow ..	Superintendent of Factory ..	Colonel Paterson ..	50 0 0	
Nathaniel Lucas ..	do ..	do ..	50 0 0	
John Stroud ..	Carpenters ..	His Excellency the Governor ..	50 0 0	
Thomas Legg ..	Storekeeper ..	Lieutenant-Governor Foveaux ..	50 0 0	
Thomas Legg ..	Superintendent of Bricklayers ..	Colonel Johnston ..	50 0 0	
Mary Bishop ..	Government Housekeeper at Parramatta.	.....	50 0 0	
<b>MILITARY EMPLOYMENTS.</b>				
Captain T. S. Cleaveland ..	Acting Major of Brigade ..	His Excellency the Governor ..	91 5 0	Paid in the Colony. do .. do .. do .. do .. do .. do .. do .. do .. do ..
Lieutenant John Owens ..	Engineer and Artillery Officer ..	do ..	182 10 0	
Captain Henry Antill ..	Aid-de-Camp ..	do ..	91 5 0	
J. Murray ..	Commandant, Parramatta ..	do ..	91 5 0	
Lieutenant V. Purcell ..	do ..	do ..	45 12 6	
John O'Herne ..	Assistant Engineer ..	do ..	1s. 6d. per day	
Charles Whelan ..	Sergeant ..	.....	do ..	
Thomas Tolls ..	Corporal ..	.....	do ..	
Joseph Brauner ..	Private ..	.....	do ..	
Joseph Bradstock ..	do ..	.....	do ..	
George Clarke ..	do ..	.....	do ..	
George Lawson ..	do ..	.....	do ..	
Thomas Thornbury ..	do ..	.....	do ..	
William Thomas ..	do ..	.....	do ..	
<b>NORFOLK ISLAND.</b>				
Lieut. T. A. Crane ..	Commandant ..	His Excellency the Governor ..	91 5 0	Paid in the Colony. do .. do .. do .. do .. do .. do .. do .. do .. do ..
John Connellan ..	Acting Assistant Surgeon ..	Governor King ..	182 10 0	
Martin Timms ..	Acting Provost-Marshal ..	do ..	45 12 6	
Thomas Ransome ..	Master Carpenter ..	Captain Piper ..	40 0 0	
Cornelius O'Neal ..	Storekeeper ..	His Excellency the Governor ..	50 0 0	
John Beal ..	Superintendent ..	Governor King ..	50 0 0	
William Hutchinson ..	do ..	Captain Piper ..	50 0 0	
John Drummond ..	Boat-master and Pilot ..	The Crown ..	50 0 0	

A List of Persons holding Civil and Military Employments in His Majesty's Colony, &amp;c.—continued.

Names.	Appointments.	By whom Appointed.	Yearly Salary.	Remarks.
HOBART TOWN.				
David Collins ..	Lieutenant-Governor ..	The Crown ..	£ 450 0 0	Died on 24th March, 1810. <i>Thos. Darcy, Esq.</i>
Reverend Right Knopwood ..	Chaplain ..	do ..	182 10 0	14 January, 1800.
Samuel Bate ..	Deputy Judge-Advocate ..	do ..	182 10 0	15 January, 1800.
William J'Anson ..	Surgeon ..	do ..	182 10 0	14 January, 1800.
Mathew Bowden ..	1st Assistant ..	do ..	182 17 6	14 January, 1800.
William Hopley ..	2nd do ..	do ..	91 5 0	14 ———.
George Pedeaux Harris ..	Deputy Surveyor ..	do ..	91 5 0	14 January, 1800.
A. W. H. Humphries ..	Mineralogist ..	do ..	91 5 0	14 January, 1800.
George Pedeaux Harris ..	Acting Deputy Commissary ..	The Lieutenant-Governor ..	91 5 0	14 January, 1800.
Edward Lord ..	Naval Officer ..	do ..	136 17 6	14 January, 1800.
Francis Grose ..	Surveyor of Public Works ..	do ..	136 17 6	14 January, 1800.
Andrew Whitehead ..	Storekeeper ..	do ..	70 0 0	14 January, 1800.
Samuel Warriner ..	Superintendent ..	The Crown ..	50 0 0	14 January, 1800.
Henry Hacking ..	do ..	do ..	50 0 0	14 January, 1800.
John Clark ..	do ..	The Lieutenant-Governor ..	50 0 0	14 January, 1800.
Oliver Smith ..	do ..	do ..	50 0 0	14 January, 1800.
John Concliffe ..	Overseer ..	do ..	23 0 0	14 January, 1800.
Samuel Lightfoot ..	do ..	do ..	23 0 0	14 January, 1800.
John Manby ..	do ..	do ..	23 0 0	14 January, 1800.
Edward Barns ..	do ..	do ..	23 0 0	14 January, 1800.
PORT DALRYMPLE.				
G. A. Gordon, Esq. ..	Acting Lieutenant-Governor ..	His Excellency the Governor ..	450 0 0	14 January, 1800.
Isaac Mountgarat ..	Surgeon ..	Governor King ..	182 10 0	14 January, 1800.
William Sutton ..	Acting Deputy Commissary ..	His Excellency the Governor ..	91 5 0	14 January, 1800.
William Keeney ..	Deputy Judge-Advocate ..	do ..	182 10 0	14 January, 1800.
Peter Mills ..	Deputy Surveyor of Lands ..	Governor Bligh ..	91 5 0	14 January, 1800.
William Dry ..	Storekeeper ..	Lieutenant-Governor Paterson ..	50 0 0	14 January, 1800.
John Hill ..	Acting Superintendent of Stock ..	do ..	50 0 0	14 January, 1800.
Robert Jones ..	Superintendent ..	do ..	50 0 0	14 January, 1800.
Thomas Massey ..	do ..	do ..	50 0 0	14 January, 1800.

The remarks in *italics* appear in lead pencil in the original.

L. MACQUARIE, Governor-in-Chief of New South Wales.

1810

30 April.

Civil and military returns.

1810

## JOHN MACARTHUR TO HIS WIFE.

3 May.

My beloved Elizabeth,

Bath, 3rd May, 1810.

Letters from  
home.Macarthur's  
health and  
spirits.An invalid  
daughter.Doctor  
Redfern.Bills and  
letters.The sandal-  
wood trade.Macarthur  
and Blaxcell.

I have not words to describe to you the happiness and gratification I felt at the receipt of your letters of the 13th of last October, brought on I understand to Rio in the *Mary Anne*, and forwarded from thence by the Elizabeth, man-of-war. They found me here endeavouring to recruit my health and spirits; but tho' the former is pretty well restored, I found it altogether impracticable to shake off a gloom which had continued to increase upon me ever since the arrival of the letter you sent by way of India, wherein you expressed your apprehensions that our sweet girl would probably never recover the use of her limbs again. It shocked me infinitely more than any other tidings of the dear sufferer possibly could have done; for life under such deplorable circumstances could confer no pleasure, and must, in my opinion, be an unceasing burthen to the afflicted object. Judge then what must have been, and what are still, my feelings at reading the almost unhopd for news of the favourable change which has taken place in the health of my beloved girl. The day after I received your letters, Mr. Redfern's nephew came over from Trowbridge, kindly sent by his father, with a letter from Mr. Redfern to me, in which your account of the dear girl's progressive recovery is most fully and pleasingly confirmed. I think I need not tell you, that if I had as much power as I have inclination, Mr. Redfern's reward for the service he has rendered Elizabeth should be as great as the skill he has manifested in discovering and applying an efficacious remedy to her extraordinary disease. I hope he will have been informed that no pains were spared on my part to ascertain how far it might be practicable to obtain a confirmation of his appointment; and I beg you to assure him that whenever Mr. Bligh's affair is settled, whatever little interest I may have shall be exerted in his favor.

I sent a packet by the coach to town this morning containing protested bills, letters, &c., accompanied by a memorandum, which will, I hope, be sufficient to explain to you the mode I think most advisable to be pursued to collect together the large sums due upon them. Whether I shall be able to recover anything from Blaxland on the draft you enclosed a copy of in your last letter is very doubtful. I must, however, try what can be done. I have received letters from Hannibal, dated 30th September, from Canton. He had disposed of the Elizabeth and her cargo, but at so low a rate as will leave us a vast sum short of our sanguine calculations. He does not say what is the cause of so extraordinary a depreciation in the price of sandal-wood. I conclude it must be occasioned by the immense quantities of that commodity lately sent to that market. In the packet I sent to-day is a copy of Hannibal's account for Mr. Blaxcell, with an estimate of the

amount he will most probably remain debtor to me, even tho' I should safely receive remittances for the sandal-wood sent in the Wellesley and by the American brig from Rio de Janerio. You will of course urge him to pay what he can in liquidation of the heavy balance against him, and, at all events, to give an obligation to pay interest for what he cannot pay, and it cannot be expected that I can afford to suffer for another person to carry on trade with my money, whilst I am deprived of all benefit from it myself.

1810  
3 May.

I entreat you not to let these adverse circumstances prey upon your spirits; they cannot be helped, and repining may increase, but will not repair, the evil.

If you get my letters by the Canada you will learn that Edward sailed from Portsmouth in March, to join his regt. at Malta. He was in excellent spirits, and highly elated with the flattering reception he has met from many most respectable characters. There can be no fear of his doing well, for a better disposed youth does not exist.

Edward  
Macarthur.

John affords a prospect of equal success in the line he has chosen. Altho' he has been only three months at the University, he obtained the fourth prize amongst 400 candidates for his Greek exercises. You will find a letter in the packet from a Mr. Young respecting him. He is a Greek professor, and is said to be the ablest man at the University of Glasgow. I have heard that John has recommended himself very much to his favour since that letter was written. I heard James and William were well on Easter Monday, and spent two days in Castle-street with Miss Thompson. They are very diligent, good boys, and great favorites with Dr. Lindsay. My worthy old friends, Mr. and Mrs. Thompson, are here with me, and desire their affectionate remembrances to you and Elizabeth, at whose recovery they rejoice as much as if she were their own daughter. I have been induced to try the air of this city in hopes of shaking off a terrible nervous affection that has assailed me, more or less, since I got the better of the severe cold that confined me so long in the winter; but I do not derive so much benefit from living here as I expected, and, therefore, I shall remove in a day or two to Cheltenham to try the effects of the mineral waters, for which that place is so celebrated.

John  
Macarthur.

James and  
William.

Macarthur's  
health.

\* \* \* \* \*

I am sorry Mr. Wentworth has omitted to send positive instructions for the disposal of his son. Mr. Cookney is very anxious to learn what he wishes to have done with him, and it is high time something should be determined upon. He is a very pleasing lad.

w. c. Went-  
worth.

I cannot give you the slightest information respecting our more important business. Government are perfectly silent upon the subject, and the colony and its affairs appear to be as little thought of as if it had no existence. I unceasingly pray for the arrival of Bligh, but I fear we shall not see him until the time of

Bligh and  
the colony.

1810 the return of the regiment. Many people are of opinion he will  
 3 May. never return ; but that is absurd, for where can he hide himself !  
 How thankful should I be if the business were settled, for to live  
 in such a state of suspense is dreadful. Nothing can I arrange,  
 nor form any fixed plan respecting my return to you, my dearest  
 Elizabeth, and my darling girls.

You will learn from the newspapers that the public mind is  
 very far from being tranquil in this country. Many are of opinion  
 that a revolution is unavoidable, and cannot be long protracted.  
 In such a state of things it would be weak indeed to expect that  
 the affairs of our insignificant colony should create much interest.  
 No man thinks of another's safety when his own house is burning.  
 Major I left Johnston a month ago. He was then well, but I fear the  
 Johnstone. losses at which you hint will affect him severely. He does not  
 bear misfortunes of this nature with much equanimity. I ought  
 to have had a letter from John to forward with this, but I fear it  
 will be too late for the ship. Davidson is in Scotland with his  
 father.

I hope Colonel McQuarrie's arrival will have produced some  
 Governor beneficial changes in the colony. What his instructions were are  
 Macquarie. kept a profound secret. It is, however, understood here, that they  
 were not at all favourable to anyone concerned in Mr. Bligh's  
 His instruc- arrest. The precedent is not liked, for men in power prefer  
 tions. unlimited authority over those they govern. We may think our-  
 selves fortunate Mr. Cook is out of office, for had he remained in  
 Under- authority his arbitrary principles would have made him extremely  
 Secretary active in support of Bligh. Sir Joseph Banks still continues to  
 Cook. advocate his friend's cause, and speaks of him as a much injured,  
 Sir Joseph meritorious character ; fortunately no one believes him. We shall  
 Banks. be looking out about the beginning of July for the 102nd. What  
 The 102nd. a bustle their removal must have created ! It is a happy event  
 for the colony, for a more improper set of men could not be  
 collected together than they have lately become.

Let not my dear Mary imagine I have forgotten her, because I  
 Messages of have omitted to mention her name until now. She, and all of  
 love. you, are continually in my thoughts, and my prayers are almost  
 unceasingly addressed to Almighty God for your health and  
 happiness. Kiss my sweet cherub Emmeline, and teach her to  
 love me. God Almighty bless you, my beloved wife.

JOHN MCARTHUR.

JUDGE-ADVOCATE BENT TO UNDER-SECRETARY COOKE.

7 May. Sir, Sydney, New South Wales, 7th May, 1810.  
 In obedience to your wishes, I avail myself of this oppor-  
 The judicial tunity of communicating to you such information as I possess in  
 system. regard to the state of the judicial department of this colony, and  
 am only sorry that the unfortunate state of my health for the last

six months has prevented me from bestowing as much attention upon it as the importance of the subject demands and my own wishes suggest. 1810 7 May.

I must beg leave to observe in general that I found on my arrival the greatest possible confusion and disorder in the office of the Deputy Judge-Advocate, and that the mode which has been usually adopted of doing business here has subjected me to the greatest difficulties. Confusion and disorder.

In order to remedy this evil, I have endeavoured, as far as lay in my power, to introduce a regular system, and it has been my object to render that system as conformable to the practise of the courts of law in England as local circumstances and the different natures of the . . . two jurisdictions would permit. The English model.

But I am grieved to say that a very great deal yet remains to be done.

The first subject to which I should wish to call your attention, and one to which, I believe, His Majesty's Ministers have attached the greatest importance, is the criminal jurisdiction of the colony. This is, undoubtedly, imperfect in every point of view; but the greatest defect, and the one which seems to make the strongest impressions upon the minds of the publick, is the variety of duties which are by the patent imposed upon the Judge-Advocate, which seem to be incompatible with the due performance of his duties as a Judge. In the first instance, he is obliged to prepare and examine into the evidence for the prosecution. He is, in fact, the prosecutor. He has then to draw up the indictment, of the legality of which he is afterwards to judge, and it is by him to be exhibited to the Court, and is in the nature of an information exhibited by His Majesty's Attorney-General. The Criminal Court. Duties of the Judge-Advocate.

The execution of these previous duties is apt to bias the mind and to render a proper attention to the subsequent and most important part of his office more difficult, or, at least, more open to suspicion.

By the patent the Judge-Advocate is constituted the President of the Criminal Court, and it is reasonable to suppose that, where he is a professional man, the rest of the members of the Court will be greatly influenced by his opinion, which, therefore, should be as little exposed as possible to the danger of previous suspicion.

Another defect which I should wish to point out to you, sir, upon this subject is the very great similarity the Court, as it is at present constituted, bears to a Court-Martial. This similarity, and the nature and form of its proceedings—its meeting at ten o'clock, and adjournment regularly at three, and other circumstances, also have made many of the publick suppose that it was, in fact, a Court-Martial; and many of those officers who have often sat as members of the Court have always considered it as a Court-Martial. The Court regarded as a Court-Martial.

1810 Another circumstance which has much tended to confirm this idea  
 7 May. has been that of the Judge-Advocate's first administering the oath to the members, and then receiving it in his turn from them. It was this circumstance that caused a great deal of difficulty on the trial of Mr. McArthur at the commencement of the late disturbances in this colony, and it appears to me, sir, that it will be found equally effectual and more consistent with the character of a president of a Court of Justice to require the Judge-Advocate to take a general oath for the due performance of his duty before the Governor of the colony upon his first entering into office.

Trial by  
 jury.

Since my arrival in this colony, sir, I have made every enquiry in order to form a correct judgment upon the practicability of establishing the trial by jury in this colony as far as it regards criminal matters. From all that I can learn, I think there are a sufficient number of respectable persons from whom a petty jury might be formed; though I do not think it practicable, in the present state of the colony, to assemble a grand jury. If it were thought necessary, the petty jury might consist of twelve persons, as in England; and I should certainly advise the constitution of the jury upon the principles of the English law.

Suggestions  
 for re-  
 modelling  
 Court.

As I have been made acquainted by you, sir, with the wishes of His Majesty's Ministers to remedy the inconveniencies and defects of the present mode of administering the criminal law of this colony, and as it may probably be expected that I should suggest such alterations regarding it as may be in furtherance of such honourable wishes, I feel it my duty to point out to you, sir, such measures as I conceive will be calculated to remove in a great degree the defects in the Criminal Court of Judicature above mentioned.

A Crown  
 Law Officer.

For this purpose I think it would be advisable that there should be a professional person in the colony, uniting in himself the characters of Attorney-General and King's Advocate, whose duty it might be to prepare all prosecutions in criminal cases, to advise upon the steps necessary to pursue, to draw and file on the records of the Court all criminal information, in the same manner and for the same purposes as is now done by the Judge-Advocate.

Judge and  
 jury.

I should also advise that, in order to remove any resemblance to a Court-Martial, the name of Judge-Advocate should be changed to that of Judge, and that the Court should consist of the Judge and a jury of twelve persons to be chosen from persons who came out free and from those who had obtained their pardon for a considerable time, or whose sentences were expired, and were respectable in their conduct and situation.

Eligible  
 jurymen.

If the selection of jurymen were confined to that class of persons which has come out free, many would be excluded who are now among the most useful and opulent members of the society here.

The duty of the Judge would then be, as in England, to explain the law to the jury, and make such observations on the facts as might better enable them to give a conscientious verdict of guilty or not guilty.

1810

7 May.

Province of  
Judge.  
Sentences.

As in a great variety of cases a specific punishment is awarded by the law to particular crimes, the duty of the Judge would in this respect be rendered very simple, and by the present Constitution of the colony no sentence of death can be carried into execution without a warrant under the hand and seal of the Governor.

It would also be advisable that the Judge's clerk should act as clerk of the Court, and in that capacity record the verdicts and have the custody of the records of the Court.

Clerk of the  
Court.

I submit it, sir, with great deference to the opinion of His Majesty's Ministers, that a Court constituted as above might produce very beneficial effects to the inhabitants of this colony.

A Bench of Magistrates is held in Sydney every Saturday at which the Judge-Advocate always presides. The cases brought before them consist of breaches of the peace, larcenies of a petty nature, prisoners brought up for neglect of work, and complaints of a trivial nature. In these cases the magistrates act in a very summary manner, and proceed without the form of indictment or information. The minutes of these proceedings are, however, always taken down in writing, and the sentences taken down in a book for that purpose, which is usually transmitted at the adjournment of the Court to the Governor for his inspection.

The magis-  
trates'  
summary  
jurisdiction.

While I am upon the subject of the criminal judicature of the colony, I may take this opportunity of observing that the number of the crimes committed is owing to the want of proper punishment, and I have been extremely embarrassed as to the degree or the mode of punishment to be inflicted upon offenders.

Crime and  
punishment.

It frequently happens that prisoners are brought forward charged with and eventually convicted of felony; and when the Bench are about to sentence the offender to confinement in the gaol for a certain space of time, it is perhaps objected that the prisoner is in the employ of Government, and that by his confinement his labour will be lost. This objection, which when admitted leaves the Bench no other alternative but that of corporal punishment, appears to me to be attended with very injurious consequences, for it has the effect of enabling offenders to elude punishment altogether; and it has frequently happened that felons have been let out of gaol on the application of individuals to be allowed to employ them as their labouring servants before their sentences are expired.

Eluding  
punishment.

By these means the distinctions between the good and the bad are confounded—no warning is given to the vicious, no example is afforded to the publick; and I cannot but imagine that if guilt

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were always attended with its proportionate punishment, much of the vice unfortunately too prevalent here would be repressed.

This impolitick laxity of proceeding towards persons charged with, and convicted of, the most heinous offences will be more properly illustrated, perhaps, by the following instance:—

An illustration.

One ——— was some time since sent up from Van Diemen's Land, charged with maliciously and unlawfully shooting at and wounding one of his fellow labourers. The offence is of the most heinous nature, and by the law of England is punished by death; but on his arrival here, as it was found that he was an useful workman, he was employed in Government work till the day of his trial, on which he was convicted, and sentence of death was passed upon him. On account of his previous character he was recommended to mercy, which His Excellency the Governor was pleased to extend to him on certain conditions. He has in consequence been since set at liberty and employed in Government labour, but has again, I am informed, been committing an act of felony.

Prisoners committed for trial.

On this case I would observe, first, that there appears a degree of indecency and indecorum in allowing persons charged with heinous crimes in being at liberty and mixing without distinction with the sober and well-behaved till the very day of their being called upon to answer with their lives for the crimes committed against the laws; and next, that we have here an instance of a person convicted of a most horrid crime having evaded every kind of punishment that could serve either as a warning to himself or as an example to deter others from the commission of like offences.

Solitary confinement.

Upon the whole, I beg leave, sir, to express my opinion that the species of punishment most calculated to produce the reformation of offenders in this colony is that of solitary confinement in a degree proportionate to the offence; and that the benefit that would result to Government, and to the publick, by a proper and steady infliction of this punishment, would eventually much more than compensate Government for the loss of labour sustained by the confinement of such offenders.

A new gaol required.

I have mentioned these circumstances merely to show the nature of the punishments which have hitherto prevailed in this colony, and have no doubt that in future every means will be adopted to repress crimes by the judicious punishment of the offenders. The present gaol does not appear to be sufficiently large or secure, or to afford sufficient conveniencies for the separate confinement of offenders, and I conceive a new gaol, constructed upon a judicious plan, would be highly beneficial.

The Civil Court.

I am fearful, sir, that I have already taken up too much of your time; yet my anxiety to represent to you, as far as I am able, the true state of the judicial department of the colony, induces me to

trespass a little longer upon it, in order to give you some idea of the mode of doing business in the Court of Civil Judicature, and of the inherent defects of its constitution.

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This Court, sir, was very well calculated to answer the purposes for which it was created in the infant state of the colony; but as the population has very much increased since its first establishment, and with that the trade of the colony, it has now become very deficient in many respects. It is a Court that is well adapted for the purpose of investigating questions of simple debt or breach of contract; but the very summary mode of its proceedings are but ill-suited to the deciding of questions of a complicated nature, when the interests of third parties are concerned; yet questions of this nature are frequently brought before it.

Not adapted  
to new  
conditions.

There are some cases indeed in which I have thought myself obliged to depart from the strict letter of the patent in order to do justice.

The patent directs "that upon complaint to be made in writing to the said Court by any person against any other person residing, &c., of any cause of suit, the said Court shall or may issue a warrant in writing under the hand and seal of the said Judge-Advocate" against the party complained of. It appears from hence that these warrants are issuable strictly only during the sitting of the Civil Court. But the number of writs applied for is so great, and the residences of the persons upon whom they are to be served are frequently so distant, and, in cases when defendants are about to leave the colony, the necessity of issuing writs immediately is so pressing, that I have taken upon myself to sign and issue writs at all times, even when a Court of Civil Judicature is not sitting, making them returnable before the next Court. This mode has the good effects of preventing defendants from defrauding their just creditors, and at the same time of giving them an opportunity of preparing their defence to the action, and also of saving the time of the Court which would otherwise be completely occupied in the issuing of writs, and, on the other hand, no injustice is done to either party.

The issue of  
writs.

Between the 1st day of January last and the 19th day of March, when the Civil Court met, between 350 and 400 writs were issued, one of which was for the sum of £20,000, upon which £10,000 was paid in part, and the action stayed upon security being given for the rest; another for £30,000 in an action of false imprisonment, and a third for £10,000 in a similar action. Besides these, there were actions brought which were referred to arbitrators by order of the Court on consent of parties, which involved property to the alledged amount of £30,000. Previous to the meeting of the Court I ordered all actions meant to be tried to be entered with my clerk, and tried them in the order entered. The actions entered amounted to 251, of which 240 were actually tried. The

Large sums  
involved.

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amount of the verdicts given by the Court, exclusive of costs, was £4,585 17s. 6d. Except Saturdays and Sundays, the Court sat every day for three weeks.

Court  
sittings.

The meetings of the Courts are uncertain ; but it would be greatly to the advantage of the publick were they to meet four times a year at certain fixed times, for the writs issued could then be made returnable at a day certain, which now cannot always be the case.

More  
lawyers  
wanted.

It is a great hardship upon the poorer suitors of the Court, and those who reside at a great distance, that there are no proper agents or attornies whom they can employ to manage such actions as they are obliged to bring for the recovery of the debts due to them. This want of proper attornies falls also very heavily upon the Judge-Advocate, as very much of his time is taken up by attending to complaints which are perfectly frivolous ; and in those which appear to rest on good grounds he is often obliged to give his advice, altho' it is a subsequent part of his duty to determine upon them.

Three or  
four  
attorneys.

This is peculiarly unpleasant to a person sitting as a Judge, whose wish and duty it is to come into Court perfectly unbiassed.

If a few—three or, at most, four—attornies were to come out here, whose characters were respectable, complainants would naturally have recourse to them to be informed of the legal mode of obtaining redress, and the expence necessarily incurred by them in adopting this step would be the means of preventing any frivolous litigation.

With a trifling encouragement afforded them by Government, three or four attornies, by being allowed to practice here, under controul of the Civil Court, might at the least obtain a very comfortable livelihood.

Settling the  
pleas.

If this should ever be the case a certain distinct mode of pleading would be introduced, which would oblige the parties to take issue upon one or two distinct points, and the Court would more easily and more satisfactorily form their opinions as to the verdict.

In the present constitution of the Court, it is a great difficulty to find two fit persons to sit with the Judge-Advocate ; for the sittings of the Court are long, and the persons who are usually appointed as members have extensive concerns to manage, and all endeavour to avoid as far as they can the performance of a duty which requires the sacrifice of so much time.

Trial by jury  
in civil  
cases.

I own it would give me a very great pleasure to see the trial by jury introduced also in this Court ; but I am not so clear that it would be equally advisable. And I conceive that a Court, consisting of one, two, or three permanent Judges, having also the powers of a Court of Equity, and also a regular registrar or clerk to record the orders, decrees, and rules of the Court, would be the most eligible, and most adapted to the circumstances of this colony.

The Judges should, I think, be permanent, for in the present circumstances of the Court, when the members appointed to assist the Judge-Advocate are changed every sitting, they have not the time to obtain that knowledge which might render them useful; and relying, as they generally do, on the Judge-Advocate, the whole of the responsibility rests upon him.

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Permanent judges.

Before I conclude this long letter, sir, I beg leave to add a word or two upon the necessity of having a proper and commodious Court of Justice erected as soon as possible.

A new Court-house wanted.

The only place appointed for the meeting of the Civil and Criminal Courts, for the Bench of Magistrates, and for the Judge-Advocate's office, is a small low room about fifteen feet in length and of proportionate breadth, which does not possess one single accommodation for the purposes of justice.

There are no places whatsoever for the custody of the records of the Court, nor any desk or box where a paper can be deposited with safety.

Inadequate accommodation.

It may therefore be readily imagined, sir, that the records of the proceedings of both the Courts are extremely imperfect.

Thus, sir, I have endeavoured to give you as accurate an account as my present state of health will enable me to do of the state of the judicial department of this colony, and I must not omit to add that His Excellency the Governor has most readily and zealously offered to adopt any improvement I was able to suggest.

Since my arrival in the colony Commodore Bligh has had frequent occasion of taking my opinion on the measures to be pursued in respect of persons engaged in the late tumultuous proceedings in this colony. These cases, with the opinions I had the honor of giving, will, doubtless, be laid before you; and I beg you will assure His Majesty's Ministers that I have endeavoured, to the best of my judgment, to advise upon all these occasions such measures as I conceived to be best calculated to promote the honor of the Crown and to preserve the harmony of the colony.

Bligh and the usurpers.

I have, &c.,  
ELLIS BENT.

GOVERNOR MACQUARIE TO VISCOUNT CASTLEREAGH.\*

My Lord, Sydney, New South Wales, 10th May, 1810.

10 May.

1. The ships now under dispatch having been detained here by Commodore Bligh, under various pretences, much beyond the time originally fixed for their departure, I conceive it my duty to assure your Lordship that their detention has in no way whatever been occasioned by me, and that I have done everything in my power to persuade Commodore Bligh to sail with them long ago, and which he certainly might have done a full month sooner.

Bligh lingers at Sydney.

\* A private letter.

- 1810 I have now, however, much pleasure in acquainting your Lordship  
 10 May. that Commodore Bligh, with His Majesty's ships *Hindustan*,  
*Dromedary*, and *Porpoise*, take their departure to-morrow.  
 \* \* \* \* \*
- Macquarie's  
 opinion of  
 the rebellion 3. It occurs to me that your Lordship may perhaps wish to  
 know my opinion and sentiments with regard to the extraordinary  
 transactions and disturbances that took place here, as connected  
 with the arrest of Governor Bligh, and the subversion of his  
 Government, by Lieut.-Colonel Johnston, at the head of the New  
 South Wales Corps, on the 26th of January, 1808.
- Party  
 rancour. 4. I have taken particular pains to discover the cause which  
 gave rise to that most daring event, and to the mutinous conduct  
 of Lt.-Colonel Johnston and the New South Wales Regiment,  
 and find it extremely difficult to form a just judgment on this  
 delicate and mysterious subject, party rancour having run so high  
 as to preclude the possibility of arriving at the truth without a  
 very minute and legal investigation of the whole business.
- Bligh's  
 administra-  
 tion. 5. But, in justice to Governor Bligh, I must say that I have  
 not been able to discover any act of his which could in any degree  
 form an excuse for, or in any way warrant, the violent and  
 mutinous proceedings pursued against him on that occasion, very  
 few complaints having been made to me against him, and even  
 those few are rather of a trifling nature.
- Unpopular  
 with the  
 upper class. 6. On the other hand, there cannot be a doubt but that  
 Governor Bligh's administration was extremely unpopular, par-  
 ticularly among the higher orders of the people; and from my  
 own short experience, I must acknowledge that he is a most  
 unsatisfactory man to transact business with, from his want of  
 candor and decision, in so much that it is impossible to place the  
 smallest reliance on the fulfilment of any engagement he enters  
 into. I have particularly felt this in regard to the dispatch of  
 the ships now on the eve of departure, their detention here being  
 not only a vast expence to Government, but a very great drain on  
 the small resources of the colony, and, I fear, may inconvenience  
 us to a much greater degree before we can obtain sufficient sup-  
 plies to replace the provisions they have consumed. Thus far,  
 my Lord, I have deemed it my duty to state my sentiments, in a  
 private letter, respecting Governor Bligh's conduct; but I trust  
 I shall be excused by your Lordship for refraining from entering  
 more fully into the merits of the transactions and disturbances  
 connected with his arrest.
- A view of  
 Sydney. 7. I have given Captain Pasco, of the *Hindustan*, charge of a  
 box addressed to your Lordship, containing a very tolerable good  
 view of the town of Sydney, executed by a young artist here,  
 whose genius and taste for drawing deserves to be encouraged.  
 The view is most correctly taken, and will serve to give your  
 Lordship a very accurate idea of the town of Sydney, which is

most beautifully situated at the head and along the west side of the cove of the same name, and which last affords safe anchorage for ships of the large burthen. 1810  
10 May.

8. In former letters I took the liberty of stating my long and faithful services to your Lordship, in the fond hope that you might be kindly induced to move His Majesty to be graciously pleased to honor me with the appointment of Brigadier-General in New South Wales; and I now once more most respectfully beg leave to renew my application to the same effect. I have had the honor of serving His Majesty, as an officer, now for upwards of thirty-three years, in the four different quarters of the globe, and have only yet attained the rank of Lieut.-Colonel in the Army, with the local rank of Colonel in New South Wales.\* But I should nevertheless feel amply compensated for all my former disappointments in respect to promotion were I now to be honored by my Sovereign with the nomination of Brig'r-General, which, independently of its proving highly gratifying to my feelings as an old officer, would be a measure of public benefit, inasmuch as it would give additional weight and consequence to my situation as Governor and Commander of the Forces in this remote colony. I am, therefore, not without hopes your Lordship will be induced to move His Majesty to be graciously pleased to honor me with the nomination of Brigadier-General in New South Wales. I have, &c.,

Macquarie  
asks for  
promotion.

L. MACQUARIE.

UNDER-SECRETARY JENKINSON TO WM. CHINNERY.

Sir, Downing-street, 12th May, 1810. 12 May.

I have laid before Lord Liverpool your letter of the 3rd instant, transmitting an application from the agent of Mr. Darcy Wentworth—one of the surgeons for the colony of New South Wales—for payment of salary due to him, and requesting directions thereupon; and I am directed to acquaint you, in answer thereto, that Lord Liverpool is of opinion that Mr. Darcy Wentworth became entitled to the pay of Senior Assistant-Surgeon from the death of Mr. Thomson (23rd May, 1807), at which period Mr. Jamieson—the Senior Assistant-Surgeon—succeeded to the office of Chief Surgeon; and His Lordship therefore directs me to desire you will issue the same to him or his agent on production of the necessary certificate of his being alive. D'Arcy  
Wentworth.

With respect to Mr. Wentworth's claim for the pay of Chief Surgeon from 24th February, 1809—the date of the last certificate from the colony of his being in the execution of duty—Lord Liverpool thinks that the circumstance of the Chief Surgeon being ordered Home by the Governor entitles that officer to the receipt of his full pay. Post of Chief  
Surgeon.

I am, &c., CECIL JENKINSON.

\* When Macquarie relinquished the Governorship of New South Wales he had attained the rank of Major-General.

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## GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

12 May.

Saturday, 12th May, 1810.

Soldiers may  
work for  
settlers.

HIS Excellency the Governor, in order to promote the interest of the settlers and the welfare of the colony at large, and with a view to secure a sufficient quantity of grain for the ensuing year, has granted his permission for a proportion of the privates of the 73rd Regiment to employ themselves among the cultivators throughout the settlements during the seed time, for the express purpose of cropping their lands only; and who are to be paid by the settlers in grain or money after the Colonial rates established as follows, viz. :—

Rates of  
wages.

For cutting down weeds and brush, and	s.	d.	
burning them off ... ..	10	0	per acre.
Breaking up cultivated land ... ..	15	0	„
Chipping in the seed ... ..	6	8	„

And if employed by the day, at the rate of 2 6 per day.

The settlers who are in want of men are directed to give in their names to the resident magistrate of the district to which they belong, with an account of the number of acres they mean to sow with grain, which return is to be forwarded to His Excellency's Secretary as soon as possible, in order to afford the settlers immediate assistance.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House,

17 May.

Thursday, 17th May, 1810.

Trustees of  
Orphan  
Institution.

HIS Excellency the Governor has been pleased to appoint Lieutenant-Governor O'Connell, the Rev. Samuel Marsden, Principal Chaplain, and the Rev. William Cowper, Assistant Chaplain, to be trustees for the management of the Female Orphan Institution, and for conducting and regulating the fund and other concerns belonging to it.

The Rev. Samuel Marsden is appointed treasurer of the Female Orphan Institution, in the room of Robert Campbell, Esq., resigned, and will immediately take charge of that office.

Meeting of  
trustees.

The trustees are to meet once every month at Sydney, to audit and regulate the accounts of the institution, and to order such payments to be made from the fund as they may deem necessary. The trustees are to meet quarterly at Sydney, in order to audit the accounts of the preceding quarter, previous to their being submitted by the treasurer for the Governor's final approbation: after which an abstract of the receipts and disbursements will be published in the *Sydney Gazette*, for the information of the public.

All accounts and bills relative to or connected with the established public charity schools in the colony are to be submitted to the trustees of the Female Orphan Institution, previous to their being discharged, and entered in the disbursements of the treasurer. 1810  
17 May.

His Excellency the Governor has been pleased to appoint D'Arcy Wentworth and Simeon Lord, Esquires, to be justices of the peace and magistrates for the town and district of Sydney, in the county of Cumberland. Magistrates.

His Excellency has also been pleased to appoint Thomas Moore, Esq., to be justice of the peace and magistrate in the district of George's River, in the same county of Cumberland.

Those gentlemen are accordingly to be respected and obeyed as magistrates from this date.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House,

Sydney, 19th May, 1810. 19 May.

HIS Excellency the Governor having observed with great concern that, notwithstanding the strong recommendation and admonition contained in his proclamation and General Orders to that effect issued since his arrival in this colony, very few of the Government servants ever attend Divine worship on Sundays; and, trusting that this neglect proceeds partly from a mistaken notion that there is not sufficient room for all of them in the church, and that they are in general well inclined to be instructed in their religious duties, a true knowledge of which is so essentially necessary to reclaim them from vicious habits, and to impress them with honest principles, and also to prevent a profanation of the Sabbath, His Excellency has been pleased to direct that the several Government working gangs shall in future parade under their respective overseers every Sunday at half-past nine o'clock\* in the morning, in the Market-place, clean and properly dressed in their best cloaths, in order to be marched from thence regularly to church, under the direction of the chief superintendant, who will always attend for that purpose. Divine service. Sunday parade.

The several gangs are accordingly to parade to-morrow for the above purpose at the hour and place mentioned.

The Governor will himself attend to-morrow to inspect the several gangs previous to their being marched off to church, and he trusts and expects that due attention will be paid to these orders in future.

#### GOVERNMENT ADVERTISEMENT.

IT being His Excellency the Governor's intention to contract for the building of a general hospital, medical officer's quarters, with the necessary offices and inclosures,—notice is hereby given, that

\* Altered on the following Saturday to 10 a.m.

1810 a plan of the above will be ready at my house, for the inspection  
 19 May. of those desirous of contracting for the same, in fourteen days from  
 the date hereof.\*

By command of His Excellency,  
 D. WENTWORTH, Acting Principal Surgeon.

### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney.

Saturday, 26th May, 1810.

26 May. THE full ration of provisions for the troops, and all other persons  
 The ration. entitled to be victualled from the public stores, will, till further  
 orders, consist of as follows :—7 pounds of beef or 4 pounds of salt  
 pork, 6 pounds of wheat, 9 pounds of maize, 12 ounces of sugar.  
 The women and children victualled from the stores will receive  
 in proportion to the above-mentioned full ration.

Desecration The total disregard with which many of the lower classes of the  
 of the inhabitanants of this town treat the Sabbath day, and their notorious  
 Sabbath. and shameful profanation of it, even during the time of Divine  
 worship, compel His Excel'cy the Governor, however reluctantly, to  
 have recourse to coercive measures to put a stop to this growing evil.

Constables In pursuance of this intention, His Excellency directs that  
 to patrol the regular patrols of constables shall be established in the different  
 town. quarters of the town during the time of Divine service in the morn-  
 ing and evening of every Sunday for the purpose of taking up and  
 committing to gaol all vagrants, and such other idle persons as  
 may be found walking about the town during the time of Divine  
 worship, who cannot give a satisfactory account of themselves.

Disorderly The constables are also to visit such houses as they may suspect to  
 houses. be disorderly ones, and in which they may hear any noise, or see drink-  
 ing or rioting going forward, taking up all such men and women as  
 they may find in them, and commit them to gaol. A report to be  
 made to the Gov'r every Monday morning by the head constable of  
 all such persons as have been committed to jail on the preceding day,  
 in order that exemplary punishment may be inflicted upon them.

The houses that appear to be kept by disorderly people will  
 certainly be shut up, and, if of a very bad character, pulled down  
 altogether.

Illicit grog- Such persons as are convicted of selling or retailing wines or  
 shops. spirituous liquors without a regular license, and in violation of  
 His Excellency's orders, under date the 16th of February last,† may  
 rely upon being most severely punished.

The foregoing orders are to be promulgated by the constables  
 in the different streets and quarters of the town in order that no  
 one may be in ignorance of them.

\* See the contract between the Government and Blaxcell, Riley, and Wentworth, dated  
 6th November, 1810, post, p. 449.

† Ante, p. 289.

## GOVERNMENT PUBLIC NOTICE.

1810

Secretary's Office, 26th May, 1810.

26 May.

SUCH persons as are entitled to certificates of freedom, and have made the regular previous application, may receive them any day after Tuesday next in the ensuing week, at this office, and all persons who have surrendered certificates received during the usurped authority in this country, may at the same time obtain regular certificates of freedom where it appears they are entitled to them.

Certificates of freedom.

## SURVEYOR GRIMES TO THE EARL OF LIVERPOOL.

No. 5, Beaufort Buildings, Strand, 31st May, 1810.

31 May.

The memorial of Charles Grimes, Surveyor-General of Lands in New South Wales,—

Respectfully sheweth :—

That your memorialist was ordered to England from New South Wales by Lieut't-Colonel Johnston in April, 1808, to be the bearer of his dispatches to the Right Honourable Lord Castlereagh.

Grimes ordered to England.

That your memorialist has not received any pay for near three years, and has repeatedly applied to return to his duty, and is perfectly at a loss to know in what situation to consider himself.

That your memorialist trusts that a service of twenty-three years may entitle him to your Lordship's consideration, with a constitution much impaired, from unavoidable exposure of his person to the night dews, in the execution of a labourious and hazardous duty, as a surveyor, for many years.

His services.

Your memorialist respectfully prays that your Lordship would grant him an order to the Colonial Agent by which he may obtain his pay, as perfect ruin awaits him should he not be fortunate enough to obtain relief from your Lordship, having expended the small savings he had made from a long service during his residence in England.

Short of cash.

That your memorialist understands that payment of his salary has been refused on the grounds either that he was concerned in the measures against Governor Bligh, or that the orders given him by Lieut't-Colonel Johnston to proceed to England should not have been obeyed, the authority of that officer being usurped. With respect to the first ground, he totally denies that he took any part in the transactions against Governor Bligh further than signing the paper, with many other officers and persons in the colony, expressive of their opinions ; and with respect to the second ground, it can never be held that any subordinate officer is at liberty to judge of the powers of his commanding officer, or whether he is to be obeyed or not. He must obey. But your memorialist has only to refer to the case of Mr. Jamison, the

Grimes's share in arrest of Bligh.

1810

31 May.

His salary  
withheld.

Principal Surgeon, who signed the same paper, and who acted under Lieut.-Colonel Johnston's orders, and who notwithstanding has received his salary.

If your memorialist's salary should still be deemed necessary to be withheld, your memorialist humbly prays that your Lordship will direct that the grounds upon which it is so should be notified to him, as he has been applying almost two years, and has never received any answer whatever to his applications.\*

CHARLES GRIMES,  
Surveyor-G'l of Lands in New S'h Wales.

### GOVERNMENT PUBLIC NOTICE.

2 June.

Secretary's Office, 2nd June, 1810.

Price of  
bread.

A FULL Bench of Magistrates, holden this day, having entered into certain resolutions and regulations with respect to the quality and price of bread throughout the colony, as underneath, His Excellency the Governor hereby orders and commands that said regulations be most implicitly obeyed, as any deviation from or neglect of them will be punished to the utmost extent of the law.

At a full Bench of Magistrates holden at Sydney, this 2nd day of June, 1810, for the purpose of taking into consideration the difficulties experienced by the poorer orders of the community in obtaining wholesome bread at a reasonable price, and the means of obviating the same, the following resolutions and regulations were unanimously agreed upon:—

Ingredients  
and weight.

1. That, until further orders, no other than one quality of wheaten bread shall be made throughout the colony.

2. That such bread shall be made of meal, from which only 12 lbs. of bran shall be taken from each and every bushel of wheat.

3. That no bread shall be sold until the same be 24 hours old.

The 2 lb.  
loaf.

4. That each loaf of bread, when 24 hours old, shall weigh 2 lbs.

5. That the assize of bread, until further orders, shall be at the rate of 11d. for each loaf of the weight of 2 lbs.

Penalties.

6. That any baker making or selling bread either deficient in weight, or of an inferior or different quality than the weight and quality above regulated, or who shall ask or demand in payment for any bread a greater price than that fixed by the assize, shall, upon conviction before a magistrate, incur the penalties imposed for such offences, by the several Acts of Parliament in such cases provided.†

7. That these regulations shall be most strictly enforced, and that the chief constable be ordered to make diligent inquiry into any violations of them.

\* Grimes resigned on 18th July, 1811 (post, p. 557), and Lieutenant John Oxley was appointed in his stead.

† Further regulations—including penalties for the breach of particular clauses—were promulgated in a public notice issued by the magistrates on 9th June, 1810, post, p. 386.

8. That as maize now forms a part of the ration issued from the stores, it is highly expedient that the baker should regularly bake a certain proportion of bread from that grain, and that it is the intention of the magistrates to enforce such a measure as soon as possible. 1810  
2 June.  
Use of  
maize.

9. That these regulations and resolutions be circulated throughout the colony.

ELLIS BENT, Judge-Advocate.  
W<sup>m</sup> BROUGHTON.  
ALEXANDER RILEY.  
D'ARCY WENTWORTH.  
S. LORD.

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GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 7th June, 1810. 7 June.  
It having been clearly ascertained that many persons in the town of Sydney vend and retail large quantities of spirituous liquors without having any regular license for so doing, His Excellency the Governor gives this public notice that he is resolved to prosecute such persons with the utmost rigour of the law, and to have them most severely punished for so daring a breach of the orders and regulations of Government. Sly grog-  
sellers.

It is also His Excellency the Governor's most positive orders that no person whatever shall in future retail any strong beer, ale, or porter, excepting such as have obtained regular licenses for vending wines and spirituous liquors.

The constables are, therefore, strictly commanded and enjoined to carry these orders into effect, and to give immediate information to the sitting magistrate of any persons guilty of a breach of them, and order that they may be punished as the law directs.

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GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney,  
Saturday, 9th June, 1810. 9 June.  
THE hours for attending Divine service on Sundays at Sydney will, till further orders, be 8 o'clock in the morning for the troops and eleven in the forenoon for the free inhabitants and convicts; the hours for the afternoon service to continue to be the same as heretofore. The Government gangs, till further orders, will parade for church at half-past ten o'clock in the morning, and a most punctual attendance will be enforced. Church  
hours.

There being no longer any occasion for the services of the two companies of the Sydney and Parramatta Loyal Volunteer Associations, the officers and men who enrolled themselves in those two companies are to be considered as disbanded from this date. His Excellency the Governor, at the same time, is happy to Volunteer  
corps.

- 1810  
9 June. embrace the present occasion of expressing his high sense and approbation of the loyalty, patriotism, and zeal they have manifested for their country while they were embodied ; and he will not fail to preserve a record of their names in case there should be any future occasion for their services being called for by Government.
- Arms to be returned. Such persons of the two companies of Loyal Volunteer Associations as have not already given in their arms and accoutrements are directed to do so immediately to the storekeepers at Sydney and Parramatta respectively, taking their receipts for the same.

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GOVERNMENT PUBLIC NOTICE.

Secretary's Office, 9th June, 1810.

Regulations approved by Governor. THE Bench of Magistrates having submitted to His Excellency the Governor the following resolutions, which they have entered into this day, relative to the quality of bread and the conduct to be pursued by the bakers, His Excellency is pleased to approve and confirm the same ; and he hereby enjoins all persons concerned to yield the fullest compliance thereto, as in failure thereof His Excellency will inflict, without reserve, all the penalties attached to the disobedience of them.

The following Regulations are agreed to be adopted by the magistrates, 9th June, 1810 :—

- Penalties for breach of regulations. 1. That any baker convicted of selling any loaf of bread of a different quality from that established by the assize shall, for each offence, pay a penalty not greater than forty shillings nor less than twenty shillings.
2. That any baker convicted of selling or exposing for sale any bread not twenty-four hours old shall forfeit a sum not greater than forty shillings, nor less than ten shillings.
3. That one half of the above penalties shall be paid to the informer, and half shall be used by the magistrates in carrying the regulations into execution.
- Loaves to bear bakers initials. 4. That from and after the 10th day of June instant, each and every baker shall mark each and every loaf he exposes for sale with the initials of his or their respective names ; and that every baker shall on conviction pay the sum of five shillings for each and every loaf he shall expose to sale not so marked, which penalty is to be appropriated as before.
- Licenses. 5. That as it appears that various bakers have eluded the former regulations and assize established by the Court by the baking of biscuits or small cakes, it is the opinion of the Court that no baker shall on any pretence, until further orders, bake, sell, or expose to sale any biscuits or small cakes without the permission of His Excellency the Governor first had and obtained in writing, under the penalty of five pounds.

6. That it is the opinion of the Court that no biscuits should be permitted to be made or sold unless the same are composed of meal, consisting of two-thirds wheaten, and one-third maize. 1810  
9 June.

7. It is resolved that these resolutions be submitted to His Excellency the Governor, and recommended to His Excellency's consideration. Ingredients.

ELLIS BENT, Judge-Advocate.

ALEXANDER RILEY.

D'ARCY WENTWORTH.

S. LORD.

#### GOVERNMENT PUBLIC NOTICE.

Commissary's Office, 9th June, 1810.

His Excellency the Governor, anxious to promote the interests of the settlers on the banks of the Hawkesbury, and with a view to relieve them from the very high charge of freight for bringing their grain round in the craft belonging to this place, has entered into engagements with a number of the owners for the express purpose of bringing maize to Sydney, for which the settler will only pay after the rate of ninepence per bushel in cob, and sixpence per bushel if shelled, free from any risque on their part, and the remaining charge will be borne by Government. Freight from  
Hawkes-  
bury.

These vessels will be dispatched immediately for this purpose ; and, in order to prevent preference or partiality in the receipt thereof, the masters of the vessels are directed to receive it in a regular manner, commencing from the first farm above the Green Hills, and so taking the farms in rotation upwards until they have got their lading. Other vessels will in the same manner proceed down the river, in order to afford every cultivator an opportunity of benefitting by this indulgence. Order of  
lading.

The masters of the vessels are to grant receipts for the quantity of maize they receive from each individual, whose receipt will be a voucher for its having been delivered on board ; and on the receipt being presented to the Acting Commissary, duly authenticated by the owners of the vessels, payment will be made to the person who shipped it on board on his signing the necessary vouchers ; but in case any deficiency shall arise on the whole of the cargo so shipped, such deficiency will be deducted from the amount of the freight. Arrange-  
ments for  
payment.

The masters of the vessels are particularly instructed, on their having compleated their freight, to advise their owners thereof, specifying the persons' names from whom they receive it, so that in case of any accident happening to the vessel the freighters may not suffer any loss, nor Government be imposed upon by false claims. And they are also particularly required not to receive more grain on board than what can be conveyed in perfect safety, nor to receive any but what is perfectly dry and sound, for should any loss arise from this cause such loss will fall on the owners of the vessels. Instructions  
to captains.

1810      The stores are now open for the reception of maize at Parramatta  
 9 June.      and Hawkesbury at five shillings per bushel, and any quantity  
               will be received which may be offered and the stores will contain  
               in safety.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House, Sydney,  
 Thursday, 11th June, 1810.

11 June.      LIEUTENANT-COLONEL O'Connell will be pleased to direct a picquet,  
 Night      consisting of one serjeant, two corporals, and twelve privates, to  
 patrols.      be added to the main guard every evening at sunset, for the  
               purpose of patrolling the different quarters and streets of the town  
               during the night, in order to protect the peaceable inhabitants  
               from the thefts and robberies so frequently committed upon them  
               of late by the numerous idle characters that constantly lurk about  
               the town at night for that purpose.

A patrol of one non-commissioned officer and two privates is to  
 be sent out every half-hour during the night, to commence at  
 seven o'clock in the evening, and to continue till daybreak.

Watchmen's      These patrols are to take up all disorderly and idle people whom  
 orders.      they may find going about the town between those hours, and  
               confine them in the main guard, unless they can give a very  
               satisfactory account of themselves on being examined by one of  
               the night constables, one of whom will be directed to attend at  
               the main guard for this purpose every night from seven o'clock  
               till daybreak.

GOVERNMENT AND GENERAL ORDER.

16 June.      Government House, Sydney, Saturday, 16th June, 1810.

Command-      His Excellency the Governor has been pleased to appoint Captain  
 ant at      John Murray, of the 73rd Regiment, to be Commandant of the  
 Hobart.      settlement at Hobart Town, in Van Dieman's Land, till further  
               orders, and he is accordingly to be obeyed and respected as such.

Judge-      His Excellency has also been pleased to appoint Samuel Bates,  
 Advocate.      Esq., to act as Deputy Judge-Advocate at the settlement of  
               Hobart Town, in Van Dieman's Land, until His Majesty's pleasure  
               shall be known.

Inspector of      The Governor has likewise been pleased to appoint Lieutenant  
 works.      Thomas Wright, of the 73rd Regiment, to be Inspector of the  
               Public Works at Hobart Town till further orders.

Lieut. Lord.      Lieutenant Edward Lord, of the corps of Royal Marines, has  
               obtained permission from His Excellency the Governor to return  
               to England by the first convenient opportunity for the recovery  
               of his health, and to be absent from his duty at Hobart Town for  
               twelve months from the date of his embarkation.

Magistrates.      Captain John Murray, of the 73rd Regiment, and Leonard  
               Fosbrook, Esq., have been appointed justices of the peace and

magistrates for the settlement of Hobart Town, in the county of Buckingham, in Van Dieman's Land, and are to be obeyed and respected as such accordingly. 1810  
16 June.

Lieutenant Robert Durie, of the 73rd Regiment, commanding the detachment of that corps now stationed at Parramatta, has been appointed a justice of peace and magistrate in that district, and is to be obeyed and respected as such. Lieut. Durie.

In consideration of the additional duties that Lieutenant Durie will have to perform as commanding officer and magistrate at Parramatta, His Excellency the Governor is pleased to direct that he shall receive an allowance of five shillings per day from this date, to be paid him out of the Police Fund.

## GOVERNMENT AND GENERAL ORDER.

23rd June, 1810. 23 June.

IN order to the convenience and general accommodation of the inhabitants of the colony, His Excellency the Governor has deemed it expedient to establish a regular post office in the town of Sydney, at which all parcels and letters, either Colonial or foreign, are to be deposited previous to their distribution. Post-office for Sydney.

His Excellency has accordingly been pleased to appoint Mr. Isaac Nichols to be postmaster, Mr. Nichols having entered into security for five hundred pounds for the faithful discharge of the trust reposed in him. Isaac Nichols, postmaster.

The following regulations are, therefore, to be strictly observed, viz. :— Letters and parcels from ships.

**First.**—On the arrival of any ship or vessel in the harbour, Mr. Nichols (or a person properly authorised by him) is to repair on board, and to require that all letters and parcels directed for the colony (public Government dispatches excepted) shall be delivered to him, for which he is to give a receipt to the master, mate, or supercargo.

**Secondly.**—An office for the reception of all letters and parcels shall be established, from the 25th instant, at the house of Mr. Nichols in High-street; and in consideration of the expence and trouble attendant on this duty the following sums shall be charged by him on their delivery, viz. :—For every letter, English or foreign, eightpence; for every parcel, not exceeding 20 lb. weight, one shilling and sixpence; for all parcels exceeding 20 lb. weight, three shillings; and for every Colonial letter, from any part of the territory, fourpence; soldiers' letters, and those addressed to their wives, agreeably to the established regulations, to be charged only one penny. Charges for delivery.

**Thirdly.**—A list is to be published in the Gazette of the names of persons to whom letters and parcels are directed. Names published in Gazette.

By command of His Excellency,

J. T. CAMPBELL, Secretary.

1810

## GOVERNMENT AND GENERAL ORDER.

27 June.

Government House, Sydney, Wednesday, 27th June, 1810.

Reduced  
rations for  
military ;

His Excellency the Governor, from the reduced state of the stores, is under the necessity of directing the following ration to be issued until further orders, commencing from Saturday next, the 30th instant. To the military :—

Wheat	...	...	...	...	...	...	4 lb.
Maize	...	...	...	...	...	...	13 lb.
Sugar	...	...	...	...	...	...	6 oz.
Beef	...	...	...	...	...	...	7 lb.
Or Pork	...	...	...	...	...	...	4 lb.

To the women and children belonging to the above class, in the usual proportion.

for  
civilians.

To the Civil Department, freemen and prisoners, as follows :—

Maize	...	...	...	...	...	...	21 lb.
Sugar	...	...	...	...	...	...	6 oz.
Beef	...	...	...	...	...	...	7 lb.
Or Salted Pork	...	...	...	...	...	...	4 lb.

To the women and children of the above classes, in the usual proportion.

30 June.

## PROCLAMATION.

30th June, 1810.

Payment by  
notes of  
hand.Irrespon-  
sible  
drawers.Certain  
parts of  
promissory-  
notes to be  
printed.

WHEREAS the forgery of promissory-notes in writing for the payment of small sums of money hath of late time been so much practised, to the subversion of common truth and justice, the prejudice of trade and credit, and to the manifest injury of industrious individuals, that it is necessary, for the more effectual preventing of such an offence, to adopt certain regulations in regard to the making of such promissory-notes; and whereas also divers persons have contrived to issue and negotiate divers promissory-notes for the payment of certain small sums of money without possessing any apparent means of paying the same, and have accordingly made default therein when such notes, so negotiated, have been presented to them for payment, whereby very serious and frequent public inconveniencies and private distress have been and are daily sustained; and it is highly expedient that a more speedy, easy, and effectual method of recovering payment of the sums for which such notes shall have been issued should be henceforth allowed: It is, therefore, hereby declared by His Excellency the Governor that, from and after the 15th day of July, in the year of our Lord, 1810, it shall not be lawful for any person whatsoever, resident in or an inhabitant of the territory called New South Wales, to issue or negotiate any promissory-note or undertaking payable on demand to the bearer thereof for the sum of five pounds, or for any sum of money less than the sum of five pounds in the whole, unless every part of such note or undertaking, excepting only the date thereof, the

place where the same shall be issued, the name of the person to whom the same shall be payable, and of the person issuing the same, and of the entering clerk, if any, and also the sum for which the same shall be drawn payable, be printed. And it is hereby further declared, by the authority aforesaid, that all such notes or undertakings shall bear date of the same day on which the same shall be respectively issued by the drawer or drawers thereof, and shall in the body thereof express to be drawn for the payment of a certain sum sterling. And it is hereby further declared, by the authority aforesaid, that if any person liable to the payment of any note or undertaking payable on demand to the bearer thereof for the payment of five pounds, or of any sum of money less than five pounds in the whole, shall neglect or fail to make payment in money of the sum or sums for which such draughts, notes, or undertakings shall be respectively given or issued, or so much thereof as shall remain due thereon respectively, by the space of three days after demand thereof made by the holder or holders of such notes or undertakings, it shall and may be lawful for any one or more of the justices of the peace for the territory of New South Wales (whereof the Judge-Advocate of the said territory must be one), and such justices are hereby required, upon complaint made by the holder or holders thereof, to summon the person or persons against whom such complaint shall be made, and after his, her, or their appearance, or in default thereof, upon due proof upon oath, to be administered by or before such justices, of such summons having been given, such justices shall proceed to hear and determine the said complaint, and award such sum to be paid by the person or persons respectively liable to the payment of every such note or undertaking to the holder or holders thereof, as shall appear to such justices to be due thereon, together with such a sum for costs, not exceeding the sum of twenty shillings, as to such justices shall seem meet; and if any person or persons shall refuse or neglect to pay or satisfy such sum of money as upon such complaint as aforesaid shall be adjudged upon the same being demanded, such justices shall, by warrant under their hands and seals, cause the same to be levied by distress and sale of the goods of the party so neglecting or refusing as aforesaid, together with all costs and charges attending such distress and sale, returning the overplus, if any, to the owner. And it is further declared, by the authority aforesaid, that in case it shall be returned upon such warrant that the person or persons against whom the same was directed have not any goods or chattels whereby the sum therein mentioned can be levied, that then and in such case it shall be lawful for the Judge-Advocate, by warrant under his hand and seal, to commit such person or persons to His Majesty's gaol, in the town of Sydney, until the same shall be discharged and satisfied.

1810

30 June.

Procedure  
in case of  
default.

Fines may  
be imposed.

Levy and  
distress

or imprison-  
ment.

1810

30 June.

Shipping--  
inwards and  
outwards.

## SHIPPING RETURN.

Report of Ships and Vessels entered Inwards at the Port of Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of April, 1810, to the 30th day of June, 1810.

Date of entry.	Name of the Vessel.	Master.	Build.	No. of Guns. Men.	Where built.	Registered.	Name of the Owners.	From whence.	General Cargo.	Duty and Fees of Entry.
1810 29 June	Concord, Brig	Thos. Garbut.	British .... 160	8 18	Dartmouth	London..	Alex. Birnie & Co.	London & Rio de Janeiro	General merchandise	£ s. d. 23 8 6

Rum—1 cask; equal to 110 gallons.

Report of Ships and Vessels cleared Outwards from the Port of Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of April, 1810, to the 30th day of June, 1810.

When cleared.	Name of the Ship.	Master.	No. of Guns. Men.	Build.	Where built.	Registered.	Owner's Name.	Where bound.	General Cargo.	Clearance fees.
1810. 7 Apl.	Mary Ann	Charles Bruce.	348 10 40	Plantation	Calcutta	Calcutta	Scott, Wilson, & Co..	Calcutta	10 tons 1 cwt. sandal-wood, 38 tons of coals, and 30 of oil.	£ s. d. 0 5 0
14 "	Venus	Joseph Leigh.	340 9 60	British	Chittagong	London..	J. O. Burton	London	Balloon	0 5 0
14 "	Simon Cock.	Charles Penson	184 10 17	Foreign	Shook with..	"	Peter Kemion & Co..	Calcutta	2,800 seal skins	0 5 0
15 June	Anne	Chas. Clarke	627 20 76	Foreign	Prize.....	"	John & Wm. Jacobs..	Calcutta	86 tons of coals and a quantity of opium.	0 5 0
										1 0 0

Naval Office, Sydney, 30th June, 1810.

(Signed) H. GLENHOLME, Naval Officer.

## PROCLAMATION.

1810

3rd July, 1810.

3 July.

WHEREAS the suing for the recovery of small debts in the Court of Civil Jurisdiction is necessarily attended with great expense and unavoidable delay to those who are the least able to bear the same; and for the want of an easy and speedy method for the recovery of such debts, many ill-disposed persons who have contracted small debts fraudulently refuse to pay for the same, to the loss and prejudice of their creditors, the contempt of justice, and to the detriment of useful credit; and whereas, for the remedy of such inconveniencies, it is expedient that the magistrates, at their usual weekly session for the town of Sydney and territory of New South Wales, should be empowered to take cognizance of, hear, and determine all such matters of debt as are hereinafter mentioned: It is, therefore, hereby declared by His Excellency the Governor that, from and after this third day of July, 1810, it shall and may be lawful for two or more justices of the peace for the territory of New South Wales (whereof the Judge-Advocate shall be always one), and the same are hereby required to take cognizance of, hear, and determine all matters of debt, wherein the sum claimed doth not exceed the sum of forty shillings, and wherein the right, title, or interest in or to any houses, lands, or tenements doth not come into question, and to pronounce such judgment, and make such order, decree, and award such costs (not exceeding the sum of ten shillings) between the parties as to the said justices shall seem just in law and equity. And it is hereby further declared, by the authority aforesaid, that it shall and may be lawful to and for every inhabitant of the said territory who now hath or hereafter shall have any debt or debts due or owing to him, her, or them, not exceeding the sum of forty shillings, by any person whatsoever, to apply to the Judge-Advocate of the said territory, who is hereby required to issue his summons in writing, under his hand and seal, directed to the Chief Constable of the town of Sydney, commanding the said Chief Constable to summon, or cause to be summoned, such debtor or debtors by leaving a copy of such summons at his, her, or their dwelling-house, or place where he, she, or they may have last dwelt, to appear before the next Bench of Magistrates which shall be held at Sydney next after the date of such summons, to answer to the complaint of such person as shall be mentioned in the said summons, which summons is hereby directed to be returned by the said Chief Constable at the place and day therein mentioned. And it is hereby further declared, by the authority aforesaid, that such justices (whereof the Judge-Advocate shall be one), on the return of such summons, and upon the appearance of the defendant or defendants therein mentioned (or in default thereof, upon due proof upon oath to be administered by or before such justices, of such summons having been duly served) such

Recovery of small debts.

Summary jurisdiction given to magistrates.

Procedure in case of summons.

Magistrates to make orders.

1810	justices shall proceed to hear and determine the said matter and		
3 July.	make such order or orders, decrees, judgments, and proceedings		
	between the parties, touching such debts, not exceeding the sum		
	of forty shillings, and award such reasonable costs, not exceeding		
	the sum of ten shillings, as they shall find to stand with equity		
	and good conscience ; and all such orders, decrees, or proceedings		
	shall be entered in a book to be kept at the office of the Judge-		
	Advocate for that purpose. And it is hereby further declared, by		
	the authority aforesaid, that it shall and may be lawful for the		
	said justices to administer an oath to the plaintiff or defendant, and		
	to such witness or witnesses as shall be produced by each party ;		
	and it is further declared, by the authority aforesaid, that it shall be		
	lawful for the said justices, in case the defendant or defendants shall		
	appear at the return of the said summons, and the plaintiff or		
	plaintiffs therein named shall not appear on being duly called, to		
Nonsuit of	nonsuit the said plaintiff or plaintiffs, and award such costs, not		
plaintiff.	exceeding the sum of ten shillings, to the defendant or defendants		
	as to the said justices shall seem reasonable. And it is further		
	declared, by the authority aforesaid, that if either the plaintiff or		
	the defendant in such summons mentioned shall not conform to		
	and abide by the order or decree of the said justices made therein,		
	or shall not pay such sum as shall be therein ordered, after notice		
	thereof, for the space of three days, it shall be lawful for the Judge-		
	Advocate, by warrant under his hand and seal, to be directed to		
	the Chief Constable, to cause the same, together with costs thereof,		
	to be levied by distress and sale of the goods and chattels of the		
Verdict	party so neglecting or refusing to abide by or conform to such		
collected by	order or decree, or to pay such sum of money as shall therein be		
levy and	awarded. And it is further declared, by the authority aforesaid,		
distress.	that in case the Chief Constable shall certify that the party or		
	parties against whom such warrant of distress shall be issued have		
	not any goods or chattels whereof the sum awarded can be levied,		
	it shall be lawful for the Judge-Advocate, by warrant under his		
	hand and seal, to commit such person or persons to His Majesty's		
	gaol, in the town of Sydney, there to remain for the space of forty		
	days, unless he, she, or they sooner pay the sum for which such		
	warrant of distress shall be issued, together with such costs as		
	aforesaid. And it is hereby further declared, by the authority		
	aforesaid, that the several fees hereby limited and expressed, and		
	no other, shall and may be taken for the execution of the premises,		
	that is to say :—		
		s.	d.
	For issuing out every summons—to the Judge-Advocate's		
Fees to be	Clerk ... ..	0	6
charged.	For service of such summons—to the Chief Constable ...	1	0
	For every hearing—to the Judge-Advocate's Clerk... ..	0	6
	For a warrant of Distress—to the Judge-Advocate's Clerk... ..	1	0
	For the execution of the same and sale thereon—to the Chief		
	Constable ... ..	2	6

# WOOL-GROWERS.

395

	s.	d.	
For warrant of committal—to the Judge-Advocate's Clerk	0	6	1810
For execution thereof—to the Chief Constable	1	0	3 July.
For nonsuit on plaintiff not appearing—to the Judge-Advocate's Clerk	0	6	
For calling defendant	0	6	
For acknowledging satisfaction in full—to the Judge-Advocate's Clerk	0	3	
For paying money into Court—to the same	0	3	
For searching the books—to the same	0	3	

A table of which fees shall be hung up in the Judge-Advocate's office that all persons may at all times see and read the same.

And it is further declared, by the authority aforesaid, that if the said clerk or chief constable shall take or demand any greater or other fees than as above-mentioned, then, upon complaint being made to the said justices of the said offence, such complaint being duly proved upon the oath of one or more credible witnesses, the said justices shall proceed to punish such person as aforesaid by fine not exceeding ten pounds for any one offence, to be levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of such justices, returning to the owner the overplus after the charges of such distress and sale are deducted, and to be applied by the said justices to such purposes as His Excellency the Governor shall hereafter direct.\*

Fines for charging excessive fees.

## WOOLGROWERS.

Commissary's Office, Sydney, 14th July, 1810.

14 July.

If the undermentioned persons will make application at this office on Monday, the 16th of July instant, they will receive an order for such quantities of cloth as they may be entitled to on account of wool delivered at the factory at Parramatta.

Manufacture of cloth from Colonial grown wool.

By command of His Excellency,

WILLIAM BROUGHTON,  
Acting Commissary.

Nicholas Bayly, Esq.,	Doctor Luttrell,	John Jones,
Mr. M'Arthur,	W. Cox, Esq.,	Mr. Smith,
Mr. Lawson,	John Pye,	Simon Moulds,
Capt. Kemp,	George Best,	Owen Martin,
Rev. Mr. Marsden,	Thos. Clowers,	Geo. Howell,
John Leadbeater,	Richard Partridge,	Doctor Harris,
Alex. M'Donald,	Thomas Hackett,	William Sykes,
A. Riley, Esq.,	John Lickerish,	John Goodwin,
James Horrix,	Andrew Nash,	Mary Ward,
Edward Elliott,	R. Fitz, Esq.,	Joseph Gilbert,
Joseph Holt,	William Joyce,	Richard Partridge,
William Mobbs,	William Haspin,	John Leadbeater.
Lieut. Bell,	William M'Dougall,	

\* In a proclamation, dated 22nd December, 1810, the operation of the above proclamation was extended to the towns of Parramatta, Windsor, and Liverpool. The resident justices were given the same powers as those conferred upon the Judge-Advocate and one or more justices of the peace at Sydney.

1810

JOHN MACARTHUR TO HIS WIFE.

20 July.

My beloved Wife,

London, 20th July, 1810.

Hannibal  
Macarthur.

I am sure it will give you great pleasure to hear that Hannibal has arrived safe in this country. He landed at Liverpool the latter end of last month, and proceeded immediately to join me here. My former letters will have prepared your mind to bear the disappointment of our expectations of advantage from that adventure. After settling his accounts with me, he left London to visit his father at Plymouth, and he still remains there. It is my intention to hurry him back to you immediately after the arrival of the next ships from Port Jackson; and I hope I shall receive some letters from you by them, with such information as will enable me to form some determinate plan.

Macarthur  
and Blaxcoll.

I enclose you herewith a bundle of accounts from Mr. Blaxcell, which will give him every necessary information of the result of our unfortunate speculations in sandal-wood. I have not yet got the Dart's accounts settled, but there will be a considerable loss on his adventure. Tell Mr. Blaxcell I am much chagrined and disappointed that he does not write to me, as I fully expected he would have been mindful of his promise to do so. I hope he has sold out my share in the Favourite, as I instructed him before I sailed, and accounted with you for it.

A dispute  
with John  
Blaxland.

Mr. John Blaxland has positively refused to pay me the £630 without I produce the original draft, and I find I cannot compel him whilst that draft is in existence. I have, however, caused him to be arrested, and he has been obliged to give bail. When the time of trial comes on, I must present an affidavit to the Court stating every particular of the transaction between us, and praying to be allowed time to produce the original bill. My attorney assures that will certainly be granted, and that by adopting this plan I shall have two good bondsmen to look to for my money, if he should be incapable of paying; and should the original bill be lost in coming Home, attested copies will then be considered good evidence. I have, therefore, written a letter to you expressly on this subject; and I have sent you a copy of his letter to my attorney, that you may show the friends of Messrs. Blaxland's how much their testimony is worth in a Court of Justice. You will recollect Gregory swore that his brother told him he had paid the draft; and in the letter to my attorney, John says he thinks it probable his brother has made some arrangement to pay it, as he had written to him on the subject. When you send the attested copies of the draft and protest, send with them a copy of the letters you write with the originals; for should the originals be lost, it will be necessary to prove by what ship they were sent, at what time, and every other particular. I hope you have received the protested bills I sent you by the Canada, &c. &c., safe—loans for £150 endorsed by Lord; Kable's for £100; Kables for £672, of

A dis-  
honored bill.

Loans.

which £340 8s. 3d. had been paid, leaving a balance of £331 11s. 9d., with interest and expenses to be received. I now send you the second of Kable's, £1,605 6s., endorsed by Lord, which there is no chance of getting paid in this country, for they are all over head and ears in debt. The accompanying copies of letter of advice from Lord to Messrs. Plumer & Co., and of their letter to me, will prove that the draft has been kept back at the request of Lord; by which means, if you have not already, on the receipt of the first bill by the Frederick, taken steps, you will be enabled to prosecute either the drawer or the endorser, as may appear to you most prudent. I am sensible, my dearest Elizabeth, how hard a task necessity obliges me to impose upon you; and believe me, however painful it may be to you, I bear my full share of the evil when I reflect, as indeed I am constantly doing, upon your situation. I do not doubt but Mr. Best will lessen your difficulties all in his power, and, whatever may be the result, I shall be satisfied you have acted for the best. But do not compromise with the unprincipled knaves, for depend upon it their circumstances will become more desperate every day.

1810  
20 July.

Payment to  
be enforced.

Remember me very kindly to Mr. Wentworth, and tell him that I have urged everything I could think of as likely to induce Lord Fitzwilliam to get an appointment for his son in the Company's service or into the Academy at Woolwich. His Lordship really has no interest with the present men, or I am sure he would exert it. I have therefore agreed with Mr. Cookney that there is nothing else to be done but to send him out by the first good opportunity. Most probably he will come with Hannibal.

W. C.  
Wentworth.

Inform Mr. Redfearn that nothing can be done in his business here, but everything must depend on the report of Colonel Macquarrie. Let him know I saw his brother and nephew at Trowbridge, and that I shall feel the greatest pleasure if it should be in my power to aid their exertions to serve him.

Dr. Redfearn.

For the present, my dearest, best beloved Elizabeth, adieu.

J. MCARTHUR.

#### GOVERNMENT PUBLIC NOTICE.

Government House, Sydney, Saturday, 21st July, 1810.

21 July.

THE principal brewers at Sydney having represented that it would be a great accommodation to the labouring people, and to the lower classes of the inhabitants in general, to have plenty of good, wholesome beer brewed for their drinking, and permitted to be retailed to them at a moderate price, His Excellency the Governor, in view to their convenience, as well as to encourage the settlers throughout the colony to grow barley for this and other purposes, has been pleased to direct licenses to be granted to fifty persons at Sydney to vend and retail beer on the terms stipulated in their respective securities, namely, each person paying an annual tax

The beer  
trade.

Licenses  
retail.

1810 of five pounds for his license, and finding security, himself in  
 21 July. twenty-five pounds and one surety in the like sum, to keep an  
 orderly house, and not to sell wine or spirituous liquors. Any  
 person, therefore, who shall hereafter be detected in retailing beer,  
 ale, or porter without a regular license may depend on being  
 prosecuted with the utmost rigour of the law. . . .

#### GOVERNMENT AND GENERAL ORDER.

28 July.

Government House, Sydney, Saturday, 28th July, 1810.

Erection of  
military  
barracks.

The <sup>\*</sup>superintendant <sup>\*</sup>of the bricklayers <sup>\*</sup>having now obtained the  
 whole number of artificers and labourers he required for erecting  
 the new military barrack recently commenced upon, and the  
 Governor having agreed to grant liberal daily wages to the brick-  
 layers employed in this work, it is expected that they will exert  
 themselves to the utmost in completing the building as soon as  
 possible. In order, however, to guard against any negligence on  
 their part, or that of the labourers, His Excellency the Governor  
 directs that they shall all be regularly mustered twice every day  
 by Mr. Nichols, the principal superintendant, namely, in the  
 morning before they begin, and in the evening after they cease  
 working. He will also occasionally muster them at any other  
 hour of the day he may think proper, and check the wages of  
 such of the artificers as may be found negligent or absent from  
 their work, and confine such of the labourers as he may find  
 guilty of similar neglect or absence.

Mustering  
labourers.

Ticket-of-  
leave men.

There being still a great number of male convicts at large in  
 the colony unaccounted for who have not obtained tickets-of-leave  
 from His Excellency the Governor, all such persons are hereby  
 commanded to report themselves immediately, as directed in the  
 General Orders of the 23rd of last month. This Order includes  
 all male convicts who may have obtained tickets-of-leave from any  
 former Governors, which will be renewed if the persons holding  
 them should prove deserving of such indulgence.

Convicts  
illegally at  
large.

The free settlers, cultivators, and others are particularly cautioned  
 not to employ or receive any person into their service unless they  
 produce a certificate (if free) or a ticket-of-leave (if a prisoner)  
 from the proper authority, the Governor being determined to  
 punish all those who are found guilty of disobeying this Order;  
 and he directs that all magistrates, constables, and others will do  
 their utmost to enforce it.

All such prisoners as may already have obtained His Excel-  
 lency the Governor's permission to go off the stores on their own  
 hands, and have not received tickets-of-leave for that purpose, are  
 directed to make application immediately for them at the Secre-  
 tary's office, as no person will be allowed to be at large after this  
 public notice unless they produce such tickets-of-leave.

JOHN MACARTHUR TO HIS WIFE.

1810

[Extracts.]

My beloved Elizabeth, London, 3rd August, 1810.

8 Aug.

I have been residing ever since the boys came from school at a small lodgings at Clapham. The air is excellent, and the boys have the common to run about on and amuse themselves.

The complaint on my lungs from which I have suffered so much is now entirely gone, and my appearance is so much improved that no one would imagine I suffered from any disease. I have still, however, continual slight attacks of the liver, accompanied by the old plague—obstinate indigestion. For six months I have drank nothing but water, and for the last three weeks I have eaten nothing but bread and milk, fruit, and vegetables. Since I have adopted this regimen I have felt so much better that I begin to be persuaded I shall regain perfect health by persevering in it. For my breakfast I eat bread and milk; my dinner consists of bread, potatoes, and sometimes ripe currants or gooseberries; I drink no tea, but when at home a basin of milk. In company I never deviate from my system, and on no consideration ever touch beer, wine, or spirits. I take a great deal of exercise, and do it without feeling fatigue; whereas, whilst I eat animal food and took medicine (as I was obliged to do to promote digestion), a walk of two miles was the utmost I could perform.

Macarthur's health.

His mode of life.

If your next letters bring me as good tidings of yourself, my dear Elizabeth, Mary, and little Emmeline, it will make me most happy. Often in my walks about the pleasant common and roads, of which there are so many in this neighbourhood, do I think of your probable employments, and calculate the difference of time. When I come home at about 10 o'clock I suppose you are seated at your breakfast table, and pray God that you may be enjoying your repast in happiness and in health. At my own breakfast hour, I picture you all seated round a cheerful fire, sipping your tea; and when I think of the immense space that separates us, and the labours I have to perform before I can flee to you, my philosophy is scarcely sufficient to enable me to bear my hard, hard fate without desponding. Had I some employment to occupy my time my situation would be less painful; but I have not the slightest occupation, and my spirits are too much oppressed to enable me to find any relief from the amusements that used formerly to give me the greatest pleasure. Yesterday, however, I had an unexpected gratification from the sight of a newspaper. It contained a long list of naval promotions, including the names of many junior officers to Bligh, who are promoted to be Admirals. This seems to confirm the reports of my friends that Government view his conduct as it deserves, and that when he does arrive wo

Habits and occupations.

Reveries.

Bligh and the Government

1810

3 Aug.

may expect something like justice and an impartial hearing. Would to God the time were come, for I am weary of doubt and anticipation.

A trader.

I enclose you now an old letter from Mary Anne Thompson that I found in a packet for me that Mr. Wilson\* had neglected to forward. Poor man, I much fear his Botany Bay adventures will terminate most adversely. Do not let this go any further, because by credit he may sustain himself, and fortune may cease to frown. . . . I have seen nothing of Mrs. King for many months. The last time I called she was absent from town. As she lives on the very opposite side of London, close to Portland Road (where we lodged), the distance is too great to repeat my visits often. Mrs. Thompson saw her about a week ago, and as she expressed an earnest wish to see the boys, I had arranged that they should spend the last three days of their holidays with Mrs. Thompson, and go with her to visit Mrs. King; but this has been prevented from taking place by one of Mrs. Thompson's servants taking the measles; and, as neither of the boys have as yet had that disease, I did not choose to expose them to the risk of catching it at this warm season of the year. I am told Mrs. King is determined on returning to New South Wales. Poor woman, she must feel most sensibly the change of situations. She often meets Mrs. Thompson at the oculists, for she also complains of her eyes. The girls are, I hear, all well, and little Mary was, when I saw her, a most beautiful child, and, I am told, still continues so.

Governor King's widow.

Macarthur's sons.

Mrs. King.

Improvements at the farm.

A model wife.

Colonel Foveaux.

I was exceedingly pleased to learn that you had nearly got the kitchen finished, and much gratified, as you may suppose, at your details of your improvements, and your report of the prosperous state of all the stock. I am perfectly aware, my beloved wife, of the difficulties you have to contend with, and fully convinced that not one woman in a thousand (no one that I know) would have resolution and perseverance to contend with them at all, much more to surmount them in the manner that you have so happily done. That I am grateful and delighted with your conduct I think it is needless for me to say, because the consciousness you must feel how impossible it is that such exemplary goodness can have failed to produce that effect, must convince you I am so, more certainly than any assurances that can be given. May God Almighty reward you, both in this world and the next, and may the remainder of your life be free from those cruel cares and sorrows that have checkered so many of the last ten years.

If Colonel Macquarie has arrived safe, you are now freed from all further apprehensions of hostile attempts from that unprincipled man Mr. Foveaux, who, if he has not made any direct attempts to disturb you, has I am convinced been deterred by

\* Probably a member of the firm of Wilson, Campbell, & Co.

nothing but shame and fear. I hope the Colonel will find his Government as agreeable to himself as I am persuaded it will prove beneficial to the colony. Every person that I have heard speak of him concurs in giving him the highest character, and those who know him best say that if it be possible to advance the interests of the colony, and to improve the morals of the colonist, there is no man living more likely to accomplish it than Colonel Macquarie.

1810

3 Aug.

Governor  
Macquarie.

I am impatient to see the changes that such a man will make amongst the wretches who have so long insulted every honorable and virtuous feeling by the unblushing display and avowal of infamy and vice, and most sincerely do I pray that he may speedily detect that arch-hypocrite Marsden, who certainly has done more mischief in that settlement than any one of the worthless characters who have had an influence in the direction of publick affairs.

Reforms.

Rev.  
S. Marsden.

I have lately heard your mother and sister are well, and I shall direct Hannibal to pay your mother a visit before he leaves Devonshire. You know it was my intention to have done so myself, but my health prevented me for a long time, and the accounts Hannibal has brought me, united with other disappointments, deter me from incurring any expense that I can avoid.

Relatives in  
England.

To my dearest girls say everything that can assure them of my unabated affection. God Almighty bless both you and them is the almost incessant prayer,

My beloved Elizabeth, of

Your affectionate

JOHN MCARTHUR.

All the Thompsons desire their kindest remembrances to you, dear Elizabeth, and best wishes for all. James and William are just come in from a walk. I have asked James what I shall say for him to his dear mama and sisters. With tears in his eyes, he replied, "I do not know what to say." William interposes "Send our loves, papa." "Ah," but James explained, "I wish to say much more, but cannot tell what." God bless them both. They are improving very fast. They join with me in kind remembrances to Miss Lucas, and all other friends.

James and  
William.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House,

Sydney, Saturday, 4th August, 1810.

4 Aug.

His Excellency the Governor, with a view to promote and encourage the cultivation and manufacture of flax, offers as a reward the following premiums to such cultivators as may engage in the pursuit :—

Cultivation  
of flax.

1st. That any settler who shall cultivate the largest quantity of flax (not less than three acres), and produce the best quality, shall be entitled to a cow, with a calf by its side not to exceed a month's age.

First prize.

- 1810      2nd. That any settler who shall approach the nearest to the greatest quantity and quality (but not less than two acres) shall be entitled to a cow in calf.
- 4 Aug.      3rd. That any settler who shall approach nearest to the second quantity and quality (but not less than one acre) shall be entitled to a heifer not under 18 months old.
- Second prize.      4th. That any settler or other person who shall produce the greatest quantity and best quality from the smallest quantity of ground (not less than eighty rods) shall be entitled to a cow calf not under 12 months age.
- Third prize.      His Excellency the Governor pledges himself to all such persons as may engage in this pursuit that he will furnish them with the produce of the manufacture in return for such flax as they may deposit in the public factory, after the usual conditions ; and that there shall be no impediment or delay in the delivery thereof more than the necessary time requisite for the manufacture of the same. And His Excellency further engages that he will take from off the hands of such persons as may cultivate in larger quantities all the surplus quantity of flax they may have more than what will serve for their domestic purposes, and that they will be indulged with his further patronage and support by allowing them indentured servants, on the arrival of the first ships which may bring male convicts to the colony.
- Fourth prize.      And as the seed of the flax is become very scarce in the colony, the Governor strongly recommends to the cultivators the preservation of such as may be produced this year ; and as a future encouragement to the cultivation thereof he pledges himself that the foregoing premiums shall continue to the end of four years from this season.
- A public factory.      Preservation of seed.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Government House,  
Sydney, 11th August, 1810.

11 Aug.

\* \* \* \* \*

The streets  
of Sydney.

His Excellency the Governor, deeming it expedient and highly necessary for the improvement and ornament of the town of Sydney<sup>†</sup> to enlarge the streets and avenues thereof, for which purpose a party of the military are now employed at work, and who are to be paid for their labour out of the Police Fund.<sup>‡</sup>

\* See also Government and General Orders of 6th and 27th October, 1810, post, pp. 437 and 443.

† In the *Sydney Gazette* of 4th August, 1810, the following paragraph appeared :—"The plan now on foot of widening the streets must be as beneficial as ornamental to the town. It is an arrangement that had long been obviously necessary ; and it can be attended with no inconvenience to any individual, as the work is performed by the shifting of a slight fence, the area between which and the occupied part of the premises is only waste ground." On 8th September, 1810, the *Gazette* contained a further reference to the Sydney streets, as follows :—"The vast addition given to the appearance of the town by the widening of the streets daily becomes more obvious. The improvement is no where more conspicuous than in Pitt's-row, the paling on the west side of which is taken totally away, and a fine

The Governor, therefore, orders and directs that, as far as **1810**  
 circumstances will admit, the width of the streets shall be fifty feet, **11 Aug.**  
 including a footway on each side; that the paling or palisading on **Fifty feet**  
 each side shall be of a uniform height of four feet, and put up in **wide.**  
 a neat, regular, and durable manner; and he trusts and expects  
 that such persons as have it in their power will voluntarily assist  
 by removing back their own palings and inclosures.

Should any houses stand in the way of the intended improve- **Encroach-**  
 ments, which it may be necessary to remove, they will be erected **ments.**  
 again at the public expense, or a fair pecuniary remuneration  
 allowed to the proprietors in case they should prefer it.

His Excellency the Governor further orders and directs that no **Building**  
 person whatever shall erect any house or dwelling in the town of **regulations.**  
 Sydney, whether on leasehold ground or otherwise, without previ-  
 ously obtaining his permission through Mr. Meehan, the acting-  
 surveyor, who has a plan of the town recently made out, and  
 approved by His Excellency, with instructions respecting theseveral  
 parts thereof which the Governor deems most proper to improve  
 and have uniform buildings erected thereon. A non-compliance  
 with these orders will subject the proprietors to have their houses  
 pulled down, and further incur the Governor's displeasure. But  
 he trusts the inhabitants, whose interests may at first view appear  
 to be affected by these regulations, will yield a ready and chearful  
 obedience to the orders now published on account of the great  
 benefit the public at large will derive from them, and the additional  
 convenience and ornament the town will acquire by their being  
 carried into complete effect.

\* \* \* \* \*

Whereas horse and foot passengers in the streets of Sydney sus- **Domestic**  
 tain great inconvenience and danger by pigs, goats, and dogs being **animals.**  
 permitted to wander at large through the town; and very serious  
 injury is done to the gardens and inclosures of the inhabitants by  
 pigs and goats breaking through the fences and destroying the  
 productions in said inclosures: This is, therefore, to give notice  
 that, on and after the 18th day of the present month, all persons  
 who keep pigs, goats, or dogs are required to confine them within  
 the limits of their own premises; and those who have pigs are  
 enjoined to yoke and ring them so as to prevent their doing such  
 injury in future. Pigs which may be found in the streets or about **Straying**  
 the tanks, where they dirty and render unfit for use the water **about the**  
 collected for the accommodation of the inhabitants, will be seized **town.**  
 and sold for the benefit of the Orphan Fund and of the persons

level causeway supplies the place of the areas they inclosed, which were for the most part, if  
 not totally, useless. The carriage road in this principal avenue is thereby enlarged, and  
 rendered much more commodious. Its present appearance is consequently neat and uni-  
 form, and doubtless may be continued so with little trouble, if attended to hereafter, when  
 occasionally impaired by rains, against which a pavement would certainly be the most  
 effectual barrier." The accounts of the Police Fund show that during the last three-quarters  
 of the year 1811, £351 were paid to soldiers for mending roads.

1810 who make the seizure, two-thirds of the value to be paid into the  
 11 Aug. hands of the treasurer of the Orphan Fund, and the remaining one-third to the persons who shall seize them. Goats found in the streets or within inclosures will be seized and disposed of in the like manner, and distributed in the same proportions; and the constables and their assistants are hereby strictly commanded to seize and secure all pigs and goats straying through the streets, that they may be disposed of for the beforementioned purposes.

The constables are also required to caution such persons as keep dogs, which are in the habit of running at men or horses, either to cause them to be tied up or to destroy them, as in future they will be killed by the constables when found attacking men or horses, and the owners fined for disobedience of this public notice and order.

Sunday  
 observance.

The constables are further required to give information, before one of the magistrates in Sydney, against all persons, firing or shooting guns in the town or its vicinity, especially on Sundays, and in violation of the public notice already given on that subject in the *Sydney Gazette* of the 7th of April last; and the persons so offending will be punished as the law directs.\*

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EX-GOVERNOR BLIGH TO SIR JOSEPH BANKS.  
 (Bligh Papers.)

His Majesty's ship *Hindustan*,

Rio Janerio, 11th August, 1810.

Sir,

Bligh at Rio.

In continuation of my former letters, I have the honor to acquaint you, by the *Chichester Packet*, which is now to sail, that the arrangement of embarking the 102nd Regiment under my orders, in His Majesty's ships *Hindustan*, *Porpoise*, and *Dromedary*, being completed, I left Port Jackson on the 12th of May, and arrived here on the 25th ultimo. The troops and crews having suffered considerably from the severity of the weather round Cape Horn, it obliged us to come hither to prevent much sickness, which was likely to have taken place, and to repair our ships. The whole is now affected except in the *Dromedary*, which I fear will prevent our sailing until Tuesday, the 14th.

Collins and  
 Paterson.

Before we left Sydney accounts were brought from the *Derwent* of the death of Colonel Collins, and Colonel Paterson died on the 21st of June on board the *Dromedary* off Cape Horn.

Colonel  
 Foveaux.

In my despatch of the 9th March I stated that Lieutenant-Colonel Foveaux was permitted by Governor Macquarie to separate from the regiment and sail in a brig called the *Experiment* for England. Some mercantile pursuits obliged that vessel to proceed to New Zealand, where, meeting with a ship called the *Speke*, he chose to quit the *Experiment* and embark in her. On our arrival

\* By Government and General Order of 28th September, 1811, these regulations were extended to Windsor and Parramatta.

at this place we met the Speke proceeding to sea ; but light winds obliging her to anchor, and knowing who we were, the master during the night returned and applied to proceed Home under our convoy, and will accompany us accordingly ; while it appears that Lieut.-Colonel Foveaux considers his arrival in England before me of such consequence as to proceed in the Packet if she sails before us, which it is expected.

1810

11 Aug.

As a report, sir, which I have every reason to believe to be true, I find this officer is sanguine in his expectations of being appointed Lieutenant-Governor of the Derwent ; but whatever motives they are that make him so desirous of appearing in England before me, I hope the subject of my despatches from the time of his taking the command upon him from Major Johnston, in place of obeying my written orders to reinstate me in the Government, to the time of Colonel Paterson's arrival, may be allowed to repel any influence which may be made in his favor previous to my arrival.

The command at Hobart.

As it became Mr. Judge-Advocate Bent's opinion that it was necessary to have further advice from Government how he was legally to act, and that the Governor could not legally send Home any man against his consent except those holding appointments under Government, I could not bring any one to trial, and some egregious offenders, therefore, remain in the colony. But on the part of the Crown, pursuant to my Lord Castlereagh's directions in his letter to me of the 15th of May, 1809, I have embarked with me Mr. Palmer, Commissary ; Mr. Gore, Provost-Marshal ; Mr. Williamson, Deputy Commissary ; Mr. Divine, Principal Superintendant ; the Rev'd Mr. Fulton, Chaplain ; Mr. Oakes, the Chief Constable ; Mr. Suttor and Mr. Mason, planters. These persons will declare unquestionable truths of the evils existing in the territory, and give testimony of what has been transacted.

Bligh's witnesses.

Mr. Atkins, the late Judge-Advocate, is on board, having been ordered Home by Governor Macquarie. I have, &c.,

W<sup>M</sup> BLIGH.

## GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, Saturday, 18th August, 1810.

18 Aug.

In order as much as possible to prevent prisoners and all other persons of idle and profligate characters from imposing themselves on the public as free men, as well as with a view to prevent such persons from injuring the peaceable and industrious inhabitants by strolling idly about the country and committing depredations upon them, His Excellency the Governor is pleased to direct that in future no person whatever (excepting the officers, civil and military, gentlemen, and settlers, or tradesmen who came out free from England) shall be permitted to travel or pass from one settlement to another in this colony without being furnished with a regular written passport from a magistrate, or his master if an indented

Prisoners' passports.

1810  
18 Aug. servant ; if free by servitude or emancipation, to produce his certificate ; and if permitted to be off the stores to work on his own account, to produce his ticket-of-leave.

All magistrates and constables are therefore strictly enjoined and commanded to enforce these orders, and immediately to apprehend and take into custody any person of the foregoing description who cannot produce the prescribed passport or certificate, forwarding all such persons as soon as possible to Sydney, in order to be employed on the Government public works.

#### THE FIRST RACE CLUB.

A sports-  
men's  
dinner.

ON Monday last the subscribers to the Sydney Racecourse dined together to celebrate the Anniversary of His Royal Highness the Prince of Wales' Birthday. His Excellency the Governor, who has been graciously pleased to patronize the establishment, and His Honor the Lieut.-Governor, honoured the party with their presence. The evening was passed with the utmost conviviality and harmony, and the company retired highly gratified with their entertainment.

The following were the toasts drank on the occasion, and reiterated amidst general acclamations :—(1) The King ; (2) The Queen ; (3) The Prince of Wales ; (4) The Duke of York and the rest of the Royal Family ; (5) Lord Mulgrave and the Navy ; (6) Sir David Dundass and the Army ; (7) His Excellency Governor Macquarie, and the Colony ; (8) Mrs. Macquarie, the Patroness to the Races, and the Ladies of the Colony ; (9) The Turf, &c., &c.

The races.

The races are fixed for Monday, 15th October; and three plates of 50 guineas each will be run for during the week, exclusive of several bye-matches, subscriptions, &c.

This establishment, altogether novel in this country, bids fair to acquire celebrity and success from the judicious arrangements under which it has been projected, and the distinguished auspices under which it has been brought forward, besides the advantages which the country at large is likely to derive from the improvement of the breed of horses—an object that in a rising colony may be calculated upon as conducive to its internal interests and prosperity.

Lieutenant-Governor O'Connell, Lieutenant Wright, and Mr. Williams are the stewards elect for the present year.\*

#### DESTRUCTION OF THE BOYD.

Loss of the  
Boyd.

WE mentioned in our last that Captain Chace had received at New Zealand a particular account from an Otaheitan of the loss of the above vessel, which we premise by stating, upon the foregoing authority, that when the Boyd went from hence she had on board four or five New Zealanders, who made part of her crew. These people were displeased at their treatment on the passage, and determined on revenge. On their arrival they communicated their complaints to their friends and relatives, who were of the

Mistreatment  
of Maoris.

\* From the *Sydney Gazette* of 18th August 1810.

Whangaroa party, and frequently at war with Tippahee and his subjects ; and the design of taking the ship was formed in consequence. It being Captain Thompson's intention to take in a quantity of spars, he applied to the natives for assistance in procuring them, which they promised, but, in order to entice him on shore, artfully objected to perform until he should accompany them to point out such as he might best approve. The Captain was thereby prevailed on to leave the vessel, accompanied by his chief officer, with three boats manned, to get the spars on board, the natives who had arrived in the ship being of the party, which was accompanied by a number of others in their canoes. The boats were conducted to a river, on entering which they were out of sight of the ship ; and, after proceeding some distance up, Captain Thompson was invited to land, and mark the spars he wanted. The boats landed accordingly, the tide being then beginning to ebb, and the crews following to assist in the work. The guides led the party through various parts of the wood that were less likely to answer the desired end, thus delaying the premeditated attack till the boats should be left by the effluence of the tide sufficiently high to prevent an escape ; which part of the horrible plan accomplished, they became insolent and rude, ironically pointing at decayed fragments, and enquiring of Capt. Thompson whether they would suit his purpose or not ? The natives belonging to the ship then first threw off the mask, and in opprobrious terms upbraided Capt. Thompson with their maltreatment, informing him at the same time that he should have no spars there but what he could procure himself. The captain appeared careless of the disappointment, and with his people turned towards the boats, at which instant they were assulted with clubs and axes, which the assailants had till then concealed under their dresses ; and although the boat's crew had several muskets, yet so impetuous was the attack that every man was prostrated before one could be used. Capt. Thompson and his unfortunate men were all murdered on the spot, and their bodies were afterwards devoured by the murderers, who, cloathing themselves with their apparel, launched the boats at dusk the same evening and proceeded towards the ship, which they had determined also to attack. It being very dark before they reached her, and no suspicion being entertained of what had happened, the second officer hailed the boats, and was answered by the villains who had occasioned the disaster that the captain, having chosen to remain on shore that night for the purpose of viewing the country, had ordered them to take on board such spars as had already been procured, which account readily obtained belief, and the officer was knocked down and killed by those who first ascended the ship's side. All the seamen of the watch were in like manner surprised and murdered. Some of the assassins then went down to the cabin door, and asked the passengers and

1810

18 Aug.

In quest of  
spars.Native  
cunning.The captain  
upbraided.A savage  
onslaught.

Cannibalism.

Maori's  
return to  
the ship.The ship  
seized.

- 1810 others to go on deck to see the spars, and a female passenger obeying the summons was killed on the cabin ladder. The noise occasioned by her fall alarmed the people that were in bed, who, running on deck in disorder, were all killed as they went up except four or five, who ran up the shrouds, and remained in the rigging the rest of the night. The next morning Tippahee appeared alongside in a canoc, and was much offended at what had happened, but was not permitted to interfere or to remain near the ship. The unfortunate men in the rigging called him, and implored his protection, of which he assured them if they could make their way to his canoe. This they effected at every hazard, and was by the old king landed on the nearest point, though closely pursued. The pursuit was continued on shore. They were all overtaken, and Tippahee was forcibly held while the murder of the unhappy fugitives was perpetrated. A female passenger and two children, who were afterwards found in the cabin, were spared from the massacre, and taken on shore to a hut, in which situation Mr. Berry and Captain Pattison, of the City of Edinburgh, found when they rescued them. Tippahee was afterwards permitted by the Whangarooans to take three boat loads of any property he chose out of the ship, fire-arms and gun-powder excepted; and the bulk they divided among themselves. The salt provisions, flour, and spirits they threw overboard, as unpalatable; the carriage guns they did the same with, considering them useless; the muskets they prized very much; and one of the savages, in his eagerness to try one, stove in the head of a barrell of powder, and filling the pan of the piece snapped it directly over the cask, the explosion of which killed five native women and eight or nine men, and set part of the ship on fire.
- 18 Aug. — Passengers killed. Tippahee. Attitude of Tippahee to crew. Rescue of the survivors. Stripping of the ship. An explosion. Tippahee. A disinterested spectator. A warning to captains.
- From the foregoing details it appears that neither Tippahee nor his son Mytye had any share in the barbarous acts committed by those sanguinary miscreants; but that the old chief had, on the contrary, endeavoured to preserve the lives of several of the crew; and if we consider the order in which the incidents are narrated, we must at least conclude this to be the most probable account received of the doleful event before us; and the more especially so as it is the report of an Otaheitan, who was on the spot at the time, and who, as an alien, not being interested on the part either of the Bay of Islanders or of the Whangarooans, may still more be entitled to credit.
- In the principal facts, alas! all accounts unhappily coincide; and while we have to deplore the calamity, we cannot forbear expressing a hope that the commanders and crews of vessels traversing these seas will temper friendship and humanity towards the uncivilised islanders with prudence and caution, and be ever guarded against surprise and treachery, to which numbers of our countrymen have become the victims.\*

\* Reprinted from *Sydney Gazette*, 1st September, 1810. The account of Tippahee's action are very conflicting. See statement of the officers of the City of Edinburgh, ante, p. 200.

GOVERNMENT AND GENERAL ORDER.

1810

Government House, Sydney, Saturday, 15th September, 1810.

15 Sept.

His Excellency the Governor deems it expedient to make the following arrangement respecting the stations of the chaplains at present doing duty in this colony, viz. :—

The Rev. Samuel Marsden, Principal Chaplain, having requested permission to reside at Parramatta, as being more convenient and central for the execution of his general superintending duties as Principal Chaplain, the Governor has acceded to his request, and directs that he may be accordingly considered in future as the resident chaplain in that district.

Rev.  
S. Marsden.

The Rev. William Cowper, First Assistant Chaplain, is appointed to be the resident chaplain at Sydney, and the Rev. Robert Cartwright, Second Assistant Chaplain, is appointed to be the resident chaplain in the Hawkesbury district.

Rev. W.  
Cowper and  
R. Cart-  
wright.

The assistant chaplains are, however, to consider themselves, at all times, under the immediate controul and superintendence of the Prinl Chaplain, and to make such occasional reports to him respecting their clerical duties as he may think proper to require or call for.

Assistant  
chaplains.

It being essentially necessary that regular returns should be transmitted annually to England of the exact state of the population of the colony, and that regular accounts for this purpose should be kept in the different districts and parishes throughout the whole of the territory, of all births and deaths, His Excellency the Governor accordingly directs that exact and correct registers shall in future be kept by the several chaplains, and by the magistrates and commandants (where there are no chaplains), of all births and deaths that may occur in their respective parishes or districts, transmitting regular quarterly returns thereof to the Principal Chaplain at Parramatta, from which he will make up a general one to be laid before the Governor. In those returns, with respect to deaths, care must be taken to specify whether the deceased was free or a prisoner, as well as the name of the ship, and what year he arrived in the colony.

Registers of  
births and  
deaths.

The quarterly returns now alluded to must be made up on the 1st of January, 1st of April, 1st of July, and 1st of October in each year, accounting for the increase and decrease of population in the three preceding months.

Quarterly  
returns.

A separate return of all births and deaths that have occurred from the 1st of January last to the 30th instant, both days inclusive, is to be made up by the chaplain, magistrate, or commandant residing in each parish or district of the colony, in the manner pointed out in the foregoing orders, and forwarded as soon afterwards as possible to the Rev. Mr. Marsden, the Principal Chaplain, who will make up a general one therefrom for the Governor.

A special  
return.

His Excellency the Governor directs that the whole of the male and female convicts immediately employed by Government, either

Sunday  
observance.

1810  
15 Sept.

as mechanics or labourers, at Parramatta and the Hawkesbury, shall in future be mustered every Sunday morning at those places respectively, and regularly attend Divine service at least once a day, in the same manner as at Sydney. They will accordingly be paraded by the superintendent or head constable at each of those two districts, and be marched to church by them in a regular, orderly manner, and the Governor will hold the resident magistrate or commandant in each district responsible that these orders are strictly obeyed and enforced.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 15th September, 1810.

Pollution of  
the Tank  
Stream.

It having been represented to His Excellency the Governor, as a very serious grievance, that the stream of water which flows through the town of Sydney, and the tanks which have been constructed thereon (at considerable expense) for the purpose of procuring an adequate supply of pure and good water for the necessary accommodation and benefit of the inhabitants at large, are frequently polluted and rendered totally unfit for those valuable purposes (which become the more important by the scarcity of wholesome water with which the town is supplied); and it thence becoming an object of the first consideration to the health and comfort of all persons residing within the town of Sydney, that said stream and tanks should be strictly preserved and guarded against all abuses whatever, His Excellency deems it necessary to issue the following orders, and the inhabitants at large, whose personal accommodation and comfort are so immediately concerned, are called upon to render every assistance and co-operation in their power to the carrying the same into the fullest effect by abstaining themselves from vitiating the said waters in any respect, and at the same time informing against any persons whom they may find neglecting or otherwise violating them, in order that they may be punished as the law directs. And as the erecting or keeping up of necessaries, slaughter-houses, tanneries, dying-houses, breweries, and distilleries on or near the banks, so as that the water destined for the use of man is shamefully and grossly rendered impure by filth of every kind from thence, contrary to the law which prohibits such nuisances, it is hereby ordered and directed—

Sanitary  
precau-  
tions.

Noxious  
trades.

Slaughter-  
houses, tan-  
neries, &c.

1. That no necessaries, slaughter-houses, tanneries, dying-houses, breweries, or distilleries shall in future be erected on or near to the said stream, tanks, or springs flowing thereto, or thence along any part of their course through the town of Sydney; and further, that all necessaries, slaughter-houses, tanneries, dying-houses, breweries, or distilleries already erected or established thereon shall be immediately pulled down or otherwise suppressed, under pain of the owners or possessors being proceeded against and prosecuted under the Nuisance Act.

2. That no person shall presume to throw any dirt, rubbish, ashes, dirty water, or filth of any kind into the tanks, or streams supplying them, or into any of the springs or streamlets flowing to and past the said tanks. 1810  
15 Sept.  
Rubbish  
heaps.

3. That no linen, clothes, or any other article shall be washed in the said tanks, stream, springs, or streamlets. Washing  
clothes.

4. That no pigs, goats, sheep, horned cattle, or horses shall be permitted to drink at or otherwise render foul the said waters, or any part of them, under pain of forfeiture of said animals, as already prescribed in His Excellency's public notice, dated the 11th August last. Domestic  
animals.

5. It having been further represented to His Excellency that certain persons have been heretofore in the habit of throwing ashes, filth, and dirt of every description into the streets, on the footpaths, and into the drains leading along the same, to the great annoyance of persons passing along them, to the injury of the said streets, and also to the great prejudice of the tanks and streams to which those nuisances are carried down by the rains; all persons are therefore strictly enjoined not to throw or lay down in future any filth or dirt upon the said streets and footpaths, or into the drains of said streets, under pain of being proceeded against and punished as the law directs in such cases. Street  
sweepings.

6. For the more compleatly preserving the cleanliness and purity of the said springs and waters, His Excellency strongly recommends to all the proprietors of ground lying on the banks to build alongside thereof a substantial wall of masonry four feet high, for the entire extent of their premises, whereby they will contribute most effectually to the preserving that purity to the water which a sense of decency alone should dictate, and which is absolutely necessary to the preserving it fit for the use of man. Stone walls.

7. All constables and peace officers are hereby required to attend to these Orders by reporting from time to time to one or more of the magistrates the conduct of any person or persons acting in disobedience thereof; and the magistrates are called upon to pay the strictest attention to the enforcing the law against offenders therein. Enforcing  
the order.

#### GOVERNMENT PUBLIC NOTICE.

Secretary's Office, Sydney, 22nd September, 1810.

22 Sept.

**WHEREAS** much injury has been done in the Government Demesne at Parramatta by persons most unwarrantably entering into the same and cutting down and removing timber thereout,—this is therefore to give notice that any person detected in cutting down or destroying timber therein, by stripping off the bark or breaking down branches, will be prosecuted and punished as felons; and all persons are hereby cautioned not to go into the said demesne on any pretence whatever, unless they are employed there as labourers or have other sufficient authority, as every trespass on those grounds in future will be punished as the law directs. Timber-  
cutting.

1810

## PROCLAMATION.

27 Sept.  
A public  
offence.

27th September, 1810.

WHEREAS the fair and public sale of wheat, corn, and other necessary victuals and provisions in open market is highly beneficial to the community at large; and whereas divers improper practices have obtained in this colony, manifestly tending to prevent so important an object, which might be considerably restrained, if not altogether suppressed, were the illegality of such practices more generally made known and understood: His Excellency the Governor hereby, therefore, publicly declares that it is a high offence against the public to commit any practices to enhance the price of merchandize coming to market, particularly the necessities of life, for the purpose of enriching an individual; and it is further declared, by the authority aforesaid:—

Rigging the  
market.

1st. That the spreading any rumours whatsoever, with intent to enhance the price of victuals or other necessities;

2nd. Or with intent to induce the dealers in such victuals not to bring them to market for sale;

3rd. Or the endeavouring to enhance the price of victuals by persuading the dealers therein to abstain from selling the same;

Corners in  
wheat.

4th. Or the engrossing or getting into possession large quantities of wheat, corn, or other victuals, by purchase, with intent to re-sell the same for an unreasonable profit, and thereby enhance the price;

Anticipating  
the demand.

5th. Or the buying large quantities of corn and wheat, or other victuals, then growing, by fore-hand bargains, with intent to prevent the same from being brought to market;

Buying and  
selling.

6th. Or the buying any corn or other victuals in any market, and selling it again in the same market or within 4 miles thereof;

7th. Or the buying or contracting for any corn, victuals, or other necessities coming in the way to market;

8th. Or the dissuading any persons from bringing their goods or provisions there, or persuading them to enhance the price when there;—

are practices highly illegal and detrimental to the community at large, and amenable to severe punishment.

Offenders to  
be prosecuted.

And His Excellency hereby further declares that in order to remove every obstacle to a free and fair sale of all merchandize, and particularly of the necessities of life, in open market, he is determined to prosecute with the utmost severity all persons whatsoever who shall by the above practices unlawfully endeavour to enhance the price of any victuals or prevent the same from being brought to market. At the same time His Excellency is inclined to express a hope that this public declaration of the illegality of such practices will in future prevent the recurrence of them.

# SHIPPING RETURNS.

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## Report of Ships and Vessels Entered Inwards at the Port of Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of July to the 30th day of September, 1810.

Date of entry.	Name of the Vessel.	Master.	Build.	No. of Tons.	Where built.	Registered.	Names of the Owners.	From whence.	General Cargo.	Duty and Fees of Entry.
19 July	Aurora ..	O. F. Smith ..	American	180 6 17	Virginia ..	New York ..	Thomas Wolden and others.	New York and Rio Jan'co.	Provisions and Trade for the North West Coast of America.	£ 4 10 6
30 "	Spring Grove ..	Wm. Matinson ..	Foreign	256 10 27	Spain ..	London...	Wilson & Campbell ..	The Fishery ..	53 tons of sperm oil	2 5 6
18 Aug.	Diana ..	Wm. Parker ..	American	286 10 25	Philadelphia ..	" ..	Daniel Bennett ..	" ..	116 "	2 5 6
18 "	Unity ..	Dani. Cooper ..	" ..	160 10 8	Calcutta ..	" ..	T. W. & J. Plummer ..	The Seal Fishery ..	6,000 sealskins "	2 5 6
20 "	Hunter ..	Jas. Robson ..	plantation	320 10 66	" ..	Calcutta.	John Gilmore & Co. ..	Calcutta ..	General merchandise ..	257 5 7 1/2
1 Sept.	Atalanta ..	Joseph Morris ..	Foreign	137 6 16	" ..	London..	William Wilson ..	Derwent ..	125 tons of black oil	2 5 6
10 "	Canada ..	J. E. Wood ..	British	403 12 36	North Sheld..	" ..	Relve & Green ..	London and Rio Janeiro.	Provisions and convicts for Government.	3 17 0
										254 15 1 1/2

## Report of Ships and Vessels cleared Outwards from the Port of Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of July to the 30th day of September, 1810.

When cleared.	Name of the Vessel.	Master.	Build.	No. of Tons.	Where built.	Registered.	Names of the Owners.	Where bound.	General Cargo.	Clearance Fees.
28 July	Antipode ..	Wm. Sawers ..	British	58 10	London ..	London..	Messrs. Huplets & Blaxland.	Calcutta ..	8 tons of coals and 2,765 feet of cedar.	£ 24 12 2 1/2
28 "	Concord ..	Thos. Garbutt ..	" ..	120 6 17	Dartmouth..	" ..	Alexr. Birnie & Co. ..	Rio Janeiro & Cape of Good Hope.	Ballast.	0 5 0
15 Sept.	Diana ..	Wm. Parker ..	American	286 10 25	Philadelphia ..	" ..	Daniel Bennett ..	The Fishery ..	" ..	0 5 0
18 "	Aurora ..	S. R. Chace ..	" ..	186 6 36	Virginia ..	New York	Thomas Wolden and others.	The Seal Fishery ..	" ..	0 5 0
										25 7 2 1/2

Naval Office, Sydney, 30th September, 1810.

H. GLENHOLME, Naval Officer.

1810  
30 Sept.  
Shipping—  
inwards and  
outwards.

1810

## PORT REGULATIONS AND ORDERS

To be observed by all masters or commanders of vessels, whether British or Foreign, on their arrival at Port Jackson, and by all merchants, importers, consignees, and others resident in His Majesty's territory of New South Wales, &c., &c., &c.

1 Oct.

1st October, 1810.

Boarding  
vessels.

I.—All vessels arriving from abroad are to receive a pilot on board off or near to the Heads at Port Jackson, and no other person is to be permitted to go on board except the Naval Officer or his assistant, without the special sanction of His Excellency the Governor, until after the master or commander has reported and entered his cargo, and perfected the bonds required by these regulations.

A military  
guard.

II.—Each vessel on arrival at Sydney Cove is to receive a military guard on board, in order to prevent any articles or merchandize being landed without regular permission, and to perform such other duties as the Naval Officer may direct; said guard is to be as comfortably lodged as the circumstances of the vessel will admit, and is on no account whatever to be interrupted in the execution of its duty, or otherwise insulted or treated improperly.

Foreign  
ships.

III.—Foreign vessels are to proceed no further than Neutral Bay until permission is obtained from the Naval Officer for their coming into Sydney Cove; and the pilots are required to attend strictly to this order.

Ships'  
papers.

IV.—Masters or commanders of vessels, on arrival, are to furnish the Naval Officer with their muster roll, articles of agreement with the ship's or vessel's company, the names of passengers, the clearance from the port originally sailed from, and all other papers necessary to prove the legality of the cargo, whether from the original port from whence she sailed, or from any other at which she may have touched during her voyage, together with the log-book and manifest of the cargo, agreeable to which the ship's entry is to be made, specifying the different articles meant to be disposed of at Port Jackson, whether belonging to the master, his officers, or any other individual on board, and distinguishing what is to be retained for the ship's or vessel's own use.

Bonds.

V.—The master or commander of every vessel, on his arrival, is to pass a bond to the Naval Officer in the penalty of two hundred pounds sterling that neither he or any other person will send from the vessel to which he belongs any articles of merchandize whatever, without permission first received for that purpose.

Landing  
spirits.

VI.—No wine, beer, spirits, or other strong liquors is to be sent on shore, even though a general landing order may have been obtained, without a special permission from His Excellency the Governor, or, by his direction, from his Secretary (which permit is also to be countersigned by the Naval Officer), on pain of forfeiting the aforesaid bond of two hundred pounds.

VII.—And any boat or vessel found conveying any article of merchandize, wine, spirits, beer, or other strong liquor, as specified in the two foregoing regulations, from any ship or vessel without a regular permit, will be seized and forfeited to the Crown; and every article so attempted to be smuggled will likewise be forfeited, and the persons concerned in it corporally punished, at the discretion of a Bench of Magistrates.

1810

1 Oct.

Forfeitures.

VIII.—No arms, ammunition, military or naval stores, are to be sold or delivered to any person without a special permission, as above, on pain of forfeiture of the bond of two hundred pounds, together with the charter-party, if in the service of Government; and boats, and persons concerned therein, will be seized and punished, and the articles forfeited, agreeable to the 7th regulation.

Arms and ammunition.

IX.—The Hospital Wharf is the only place where packages or articles of trade are to be landed; and any articles landed at any other place will be considered as smuggled, and will, of course, be seized and confiscated, and the master or commander will be held responsible to the Naval Officer for the amount of his bond of two hundred pounds thus forfeited.

The hospital wharf.

X.—Every master or commander of a vessel, whether British or foreign property, is to give security, by bond to the Naval Officer, himself in the penalty of eight hundred pounds sterling, and two sufficient sureties, in each the sum of fifty pounds sterling, that he will not carry off from the colony any free settler, convict, free, pardoned, or emancipated person, without first obtaining a written permission for so doing from His Excellency the Governor, or, by his command, from his Secretary, and that he will not himself depart without a similar authority.

Penalty for carrying off convicts.

XI.—Owners and masters of Colonial vessels are to enter into the same securities as in the preceding regulation once in each year, viz., on the first day of January, or on the next ensuing day of business, if the first should happen to be a holiday.

Colonial vessels.

XII.—Masters or commanders bound to India or China, previous to clearing out are to give bonds to the amount of five hundred pounds sterling each for their not landing any free person, convict, or other from hence in any part of the territories of the East India Company without first obtaining permission from the Governor-General of India, or from the Governor of the settlement where their ships or vessels may arrive.

Landing convicts in India and China.

XIII.—Persons wishing to obtain permission to leave this colony are to give public notice thereof twice in the *Sydney Gazette*; the first notice to be inserted at least ten days previous to their embarking, and to mention the ship or vessel by which they mean to depart. They are further to procure certificates from the Judge-Advocate that no detainees are lodged against them for debts, securities, bail bonds, breaches of the peace, &c.,

Notices of intending departure.

1810

1 Oct.

and such certificates are required to be dated at least eight days subsequent to the first public notice, whereon permission (when deemed expedient) will be granted, but not until within two days of the time specified for their embarking. This Colonial regulation is here inserted for the information of masters or commanders of vessels in order to guard them against imposition, and at the same time to prevent their pleading ignorance of it, if discovered to have taken or received any person on board, contrary to the spirit of the 10th regulation.

XIV.—Masters or commanders of vessels are required to give public notice of the time at which they mean to sail hence, in the same manner as prescribed in the foregoing regulation.

Harbouring  
deserters.

XV.—Persons harbouring or retaining any officers belonging to vessels inferior to the masters or commanders in their houses, or vessels to which they do not belong, or inveigling any seamen from their regular employers, will not be entitled to recover any debts which the said officers or sailors may have contracted with them, and will be further proceeded against according to law. And whoever shall entertain in their houses, or lodge, officers or seamen who have absented themselves or deserted from their duty will, on conviction, forfeit for every day and night they so lodge or entertain them, the sum of five pounds sterling for each person; and even if it should appear that the person so harbouring such officers and seamen did not know that they were deserters, or runaways from their duty, they will, on conviction, forfeit ten shillings per day and night for each officer or seaman belonging to any ship or vessel in the harbour of Port Jackson.

Inveigling  
sailors from  
one ship to  
another.

XVI.—Masters or commanders or inferior officers of vessels, on being convicted before one or more justices of the peace of having inveigled away or hired any sailor or sailors from on board any other vessel, or of having received on board any sailor or sailors not having regular discharges, or not having complied with the 13th article of these regulations, will be fined for each person so inveigled or taken on board the sum of fifteen pounds sterling, the one-half to be paid to the person or persons who shall prove said offence, and the other half to the treasurer of the Police Fund; and the sailors so inveigled will be taken from them, and restored to their proper duty.

Deserters to  
be flogged.

XVII.—Any seaman who deserts the ship or vessel to which he belongs, and is found in any part of this colony after the departure of said vessel, if he cannot produce a regular discharge from said vessel, with His Excellency the Governor's approbation inserted thereon, subjects himself to the receiving thirty-one lashes, by the direction of any justice of the peace, and will be put to Government labour with the convicts until he can be reshipped on board the vessel to which he had belonged, or be shipped on board of whatever other vessel may be deemed most convenient.

**XVIII.**—Masters or commanders of vessels are strictly forbid 1810  
to land any persons whatever in this territory, without first 1 Oct.  
obtaining His Excellency the Governor's permission so to do. Any  
breach of this order will be punished by forfeiture of the bond  
mentioned in the 5th article of these regulations ; and any person  
landing in this territory without His Excellency's permission will  
be taken up, and set to labour as a convict during pleasure.

**XIX.**—Any master or commander of a vessel who shall volun- Un-  
tarily leave any of the sailors belonging to his vessel in this territory authorised  
without a written permission from His Excellency the Governor, immigrants.  
will, on his next arrival in this port, be held responsible for all the  
reasonable expences of such persons so left, and be also fined fifteen  
pounds sterling for each person ; and, as this responsibility and fine  
is personal, it will be levied off him in whatever ship or vessel he  
may arrive in the harbour.

**XX.**—No persons are to land in any part of the cove but the The landing  
Hospital Wharf, except from Government boats or boats belonging places.  
to King's ships, unless they have previously obtained His Excellency  
the Governor's permission so to do ; and any boats landing any  
person or persons contrary to this order will be confiscated, and  
the person or persons in charge of them will be punished according  
to the 7th article of these regulations.

**XXI.**—Boats landing any person on Garden Island without the Garden  
Governor's permission, or after sunset in Cockle Bay or Farm Cove, Island.  
will be confiscated, and all persons on board them punished in  
same manner as for a breach of the 7th article.

**XXII.**—When sailors abscond from their vessels, or absent Punishment  
themselves from their duties on board, or are taken up at improper of abscon-  
hours, the masters of the vessels to which they belong may have ders.  
them confined in the gaol as a punishment ; but they are to supply  
them with food from on board, and sailors so detained will be  
wrought in the gaol gang, if their masters wish it.

**XXIII.**—Masters or commanders are to be responsible for all Gaoler's  
gaol and incidental fees on such occasions as specified in the fore- fees.  
going article. The constable and gaoler's fee, which they are  
entitled to demand and receive, is two shillings and sixpence per  
night for each sailor so confined.

**XXIV.**—Masters and supercargoes of merchant vessels who Masters on  
happen to be on shore after taptoo-beating, are required when shore at  
passing through the streets to carry a lanthorn, and to make them- night.  
selves known to centinels when challenged ; and boats belonging  
to merchant vessels, when challenged by centinels on the shore, or  
hailed by other vessels, are to answer such challenge and hail,  
under pain of being detained, and the persons on board punished  
conformably to the 7th article.

1810 XXV.—Masters of vessels requiring to wood or water at the  
1 Oct. springs or tanks, or the north shore and adjoining grounds, are to  
pay the Naval Officer for the same in the following proportions, viz.:

Naval Officer  
to collect  
fees.

	£	s.	d.
For every vessel not exceeding 100 tons per register..	1	0	0
For every vessel upwards of 100 and not exceeding 200 tons...	2	0	0
For every vessel upwards of 200 and not exceeding 300 ditto...	3	0	0
For every vessel upwards of 300 and not exceeding 400 ditto ..	4	0	0
For every vessel upwards of 400 and not exceeding 500 ditto...	5	0	0
For every vessel upwards of 500 tons ... ..	6	0	0

Which sums are to be handed over by him to the treasurer of the Police Fund, and boats landing any persons for the above purposes without permission, and the persons manning them, will be treated in every respect as prescribed in the 7th article of these regulations.

Soldiers' and  
convicts'  
clothes.

XXVI.—It being a standing Colonial order that no person shall purchase or otherwise possess themselves of soldiers' necessaries or bedding, or of any slop cloathing issued to convicts, or any other description of Government stores, all those articles being the property of the Crown as well after being issued as before it, sailors are cautioned not to purchase or otherwise possess themselves of such articles, as they will be rigorously prosecuted for illegally possessing such stores.

The natives.

XXVII.—The natives of this territory are to be treated in every respect as Europeans; and any injury or violence done or offered to the men or women natives will be punished according to law in the same manner and in equal degree as if done to any of His Majesty's subjects or foreigners residing here; and no spirits, wine, beer, or other intoxicating liquor is to be sold or given from on board any vessel to a native.

XXVIII.—Persons dying on board ship in the harbour are to be interred in a coffin at the regular burial place on shore.

Ballast.

XXIX.—Every ship or vessel lying in the harbour from whence iron hoops, stones, gravel, or other ballast is thrown overboard below high-water mark, incurs a penalty for each offence of five pounds sterling, two-thirds to be paid to the informer, and the remaining one-third to the Police Fund; and no clearance will be granted until such fine or fines are paid to the Naval Officer.

Obtaining  
clearances.

XXX.—No ship or vessel is to leave the Cove until she is perfectly ready to go to sea and has obtained a regular clearance: and no vessel after clearing out and sailing is again to come to anchor within the heads at Port Jackson, unless in case of some unforeseen accident, or being prevented by wind or weather; nor is any boat to be permitted to go alongside of her, except she has a Government officer on board, under pain of forfeiting fifty pounds sterling: and any boat going alongside or boarding a vessel after

quitting the Cove will be forfeited to the Crown, and the persons on board her punished in the same degree as for a breach of the 7th article. 1810  
1 Oct.

XXXI.—Any vessel anchoring within the heads contrary to the foregoing regulation is not again to weigh anchor without obtaining a fresh clearance and permission, under pain of being for ever excluded from entering this harbour again, and the master or commander being excluded from future intercourse with the colony. Ships returning to port

XXXII.—If the Governor should consider it necessary to detain a vessel for the purpose of sending a mail or dispatches on board of her, or for other reasons, even after she may have obtained a clearance, the master or commander is to consider a verbal message on that head, if delivered by any civil, military, or naval officer, as a regular communication of the Governor's desire, and he is not then to proceed to sea until he has renewed authority for so doing, under pain of being excluded from entering or trading to this port in future, and his vessel fired on from the batteries or any armed vessels in the harbour. Vessels to wait for mails.

XXXIII.—No ship or vessel, whether British, Colonial, or foreign, after arrival in this country from England, the fisheries, or elsewhere, is to discharge any part of her cargo in any part of this territory or its dependencies but Port Jackson, unless by the special authority of the Governor, except the wants of the out-settlers should require the Commandants to take the responsibility on themselves, in which case an early intimation is to be made to the Governor-in-Chief. Cargo to be landed at Sydney only.

XXXIV.—When a clear and faithful entry is made here of the cargo of any vessel whose master or supercargo wishes to land it at any of the out-ports, a regular clearance will be granted for that purpose; but if any vessel carries her cargo, or a part of it, hence to an out-port without such clearance, contrary to this and the foregoing article, the ship or vessel will be seized and condemned, on the fact being proved before a Bench of Magistrates. Landing at out-ports.

XXXV.—All vessels lying at anchor within the harbour of Port Jackson are required to keep watch and guard on board both by night and day. Every vessel under 100 tons register is to keep two men on said watch; and every vessel of 100 tons register and upwards is to keep four men on said watch. Masters or commanders of vessels will be held responsible for the sufficiency of the guard or watch so kept, as also for the conduct of his officers and crew, so far as respects the said vessel in her mercantile concerns, and to the full extent of the bonds that he will be required to enter into. The same responsibility and penalty attaches to the secreting, or knowing or permitting to be secreted, on board any convict or convicts, agreeable to the 16th of George the Second, chap. 31. Day and night watches to be kept.

- 1810  
1 Oct.  
Mooring  
chains. XXXVI.\*—Mooring chains and buoys having been laid down at a very considerable expence to Government for the accommodation of such vessels as come into Sydney Cove, all vessels which use them are to pay for the same at the rate of ten shillings and sixpence per week.
- Heaving  
down. XXXVII.\*—A heaving-down place being also in readiness for the use of vessels, the charges thereon are five guineas for the first week, and one guinea per day for every day beyond the first week that any vessel may occupy it.
- Governor's  
despatches. XXXVIII.—All letters, dispatches, or parcels addressed to the Governor, or public letters addressed to the officers of Government, are to be delivered to the Naval Officer on his first going on board; and all other letters or parcels of letters are to be delivered to the postmaster, who is authorised to go on board and demand them, giving a receipt to the master or officer of the vessel from whom he receives them, which receipt is to specify the number of letters and parcels he may receive; and if any master of a vessel or other officer shall, contrary to this direction, deliver letters or parcels to any other person than the postmaster, he shall, on conviction before a magistrate, forfeit ten shillings for each letter or parcel so delivered.
- The mails. XXXIX.—The postmaster is to make out a list of all letters he may receive, agreeably to the foregoing regulation, and to deliver them at his office to those persons to whom they are addressed, on being paid the regular postage.
- Letter  
delivery. XL.—Immediately on the anchoring of any ship or vessel from a distant port, whether British, Colonial, or foreign, a written report, according to the prescribed form, is to be made by the Naval Officer to His Excellency the Governor, or in his absence, the Lieutenant-Governor.
- Naval Officer  
to report  
arrivals. XLI.—On proof before a Bench of Magistrates, if it shall appear that any goods or merchandize, not specified in the ship or vessel's manifest, and in the entry of said vessel with the Naval Officer, shall be landed, the act will be deemed an intent to smuggle, and the ship or vessel will be forfeited to the Crown, and the goods, where or whenever secured, will in like manner be forfeited; and if neglect of duty is proved against the wharfinger or other officer appointed to guard against smuggling, he will be dismissed from his office and sentenced to twelve months imprisonment. Any carman, porter, or other assistant in said smuggling will be set to work with the gaol gang for six months, and horses and carts or carts so employed will be confiscated.
- Smuggling. XLII.—All duties to be collected on spirits, goods, wares, or other merchandize on entry at Sydney, are to be paid either in sterling money, dollars at five shillings, storekeepers' receipts, or Paymaster's notes.
- Duties.

\* By Government Order of the 14th September, 1811, the charge for mooring chains was altered to 21s. per week, and for the heaving-down place 15s. per day.

**XLIII.**—It is to be understood that whatever duties are prescribed in these regulations for the Naval Officer to perform may in like manner be performed by his deputy or assistant in his absence; and all masters or commanders of vessels are to respect him accordingly. 1810  
1 Oct.  
Naval Officer's deputies.

**XLIV.**—These regulations and orders, as far as they can be procured, are to be given by the Naval Officer, or his deputy or assistant, to all masters or commanders of vessels on their arrival in this port; but if the contrary should happen, it is hereby directed that it shall be no excuse for any disobedience of them, as they will be hung up in a public situation in the office of the Naval Officer, or his deputy, where all persons may read or have a copy of them. Copies of regulations to be given to masters.

A table of the fees, assessments, duties, &c., to which masters of vessels and cargoes are liable is hung up in the office of the Secretary and of the Naval Officer. Fees.

Given under my hand, at Government House, Sydney, this 1st day of October, 1810.

LACHLAN MACQUARIE.

LIEUTENANT PURCELL'S INSTRUCTIONS.  
(Colonial Secretary's Papers.)

**INSTRUCTIONS** for the guidance and government of Lieutenant Purcell, of the 73rd Regiment, Commandant at Newcastle.

Government House, 1st October, 1810.

1. The principal objects in view on the original establishment of a port or military station at Newcastle having been to procure supplies of coals, timber, and lime for the service of Government, you are to employ all the means you are possessed of in the prosecution of these objects, and endeavour to have collected at all times large supplies of those articles, ready to be shipped on board the Government vessels, or on board such vessels as may be hired by Government, on their arrival in the Coal River, taking care to despatch said vessels immediately on their being loaded; and for your guidance each vessel will carry from hence a specification of the articles with which she is to be laden, to which you are to conform as nearly as circumstances will admit. Origin of the settlement at Newcastle.

2. You are to keep regular accounts, entered in a book, of the quantity of coals, timber (specifying the different sorts), and lime sent to Sydney or elsewhere for the use of Government, and also of what articles are shipped for private individuals or sold to vessels proceeding to other ports. List of exports.

3. You are to keep and enter in a book, regular accounts of the labour of the mechanics and convicts employed under your command, and to transmit to the Secretary, for the information of the Governor, regular monthly returns thereof, together with monthly Labour accounts.

- 1810** statements of the settlement and other returns as heretofore transmitted for the Governor's information; for which your predecessor in the command at Newcastle gave you the forms.
- 1 Oct.**
- Bills of lading.** 4. You are to transmit to the Secretary, by each vessel on her being dispatched from Newcastle, an account of the various articles constituting her cargo, whether for the use of Government or of individuals, accompanied by the receipts of the commanders of such vessels, and at the same time to send a counterpart of said accounts and receipts to the Naval Officer.
- Shipping regulations.** 5. The masters of the Government vessels, or of vessels employed by Government, are to be held responsible for their own regular good conduct and that of their crews, and you are to report to the Governor any misconduct on their part, or any resistance they may give to the established orders and regulations of the Port of Newcastle, by which they and their crews are to be governed during their stay at Newcastle. Comm'rs of Gov't vessels, however, are not to be confined, except in case of notorious and flagrant misconduct.
6. Some printed copies of the Government regulations touching vessels going to Newcastle (now revised) are sent for your information and guidance, and you are to give them all possible publicity at Newcastle.
- Permits.** 7. No person whatever, whether civil, military, or convict, under your command, is to be permitted to leave Newcastle or to come to Sydney (except in case of extreme illness or pressing necessity) without the Governor's permission being signified to you through the Secretary.
- Convicts' letters.** 8. The convicts under your command are to be permitted to write as often as they please to their friends and relations at Sydney or elsewhere, and to be granted every reasonable indulgence consistent with their situations and circumstances. They are also to be allowed to receive any necessaries or comforts that may be sent to them by their friends at Sydney, spirits only excepted.
- Criminal statistics.** 9. Monthly returns of all crimes committed by convicts, both male and female, together with their sentences and the punishments inflicted, are to be regularly transmitted to the Secretary's office for the information of the Governor.
- Good-conduct convicts.** 10. Such prisoners or convicts as conduct themselves with regularity and propriety for a length of time, you are to report to the Governor as occasion may serve, in order that they may derive the advantage of good conduct, by being relieved from that station and replaced by others from Sydney, when that can be done without prejudice to the public service. This you are to make known to all those under your command, with a view to stimulate the ill-behaved to a reformation of conduct, and the well-behaved to a perseverance in that conduct which will be to their own advantage.

11. You are not only to permit but to encourage the convicts **1810**  
under your command to cultivate gardens, and to rear poultry and **1 Oct.**  
pigs for their own use and comfort.

12. Corporal punishments are to be inflicted as seldom as **Flogging.**  
possible, and never but on clear and distinct evidence; and you  
are to report all punishments, as directed in the 9th article of these  
instructions.

13. When prisoners are required to work the whole day, they **Overtime.**  
are to be allowed an extra half ration of provisions, or some other  
adequate compensation.

14. You are not to permit any coals, lime, or timber of any kind **Private**  
to be sent to any individual at Sydney in the Government vessels, **dealers.**  
or in any vessel chartered by Government, without the Governor's  
permission being signified to you through the Secretary.

15. Altho' it has been hitherto customary for the Commandant **Governor's**  
at Newcastle to be indulged with the services of four Government **servants.**  
men for his own private use, it is in future to be clearly understood  
that this indulgence is not to be claimed as a matter of right, the  
Commandant being allowed a salary as a remuneration for his addi-  
tional duties in that situation. The Governor, however, has no  
objection to your having the services of four convicts so long as  
they can be spared without prejudice to the public service; but when  
the public labour, or any particular pressing emergency may require  
them, they are to be given up and employed for the service of  
Government.

16. If the conduct of the prisoners should at any time indicate **Mutiny.**  
a spirit of mutiny, or any extraordinary degree of licentiousness,  
you are to issue orders expressive of regret at such conduct, and  
to threaten punishment to the leaders of such factions, and enjoin  
them to retire to their respective huts or lodgings at eight o'clock  
every evening, where you are to have them regularly mustered at  
that hour, and you are to require each prisoner to inform you of  
his or her place of residence.

17. Owners of private huts are to be apprized that they will be **Lodgers.**  
held responsible for the ill-conduct of any persons lodging with  
them, unless they themselves come forward and give information  
against them, and you are to require all persons who let lodgings  
to give information against such lodgers as pass their nights  
abroad.

18. As it has been a custom with preceding Governors of this **Birthday**  
territory to grant emancipations and free pardons to persons **favours.**  
applying for them on each 4th of June (the King's birthday),  
which has been known to induce convicts at the Coal River to  
desert their duty there and come to Sydney in the hope of obtaining  
their liberty, you are to make it distinctly known to them all  
that the Governor will not grant pardons or emancipations to any

- 1810 persons whatever on that day, or any other stated occasion, and  
1 Oct. that the only means of obtaining that clemency and extension of  
Royal mercy will be good character and conduct.
- Private enterprise. 19. You are to caution all persons not to remove any coals,  
timber, or stones, from one place to another for their own or any  
other person's use, without first obtaining your permission. This  
regulation is not to be understood as an actual restraint on persons  
applying any property they may have in those articles to their  
own use, but merely as a preventive measure against fraud.
- Cautioning convicts. 20. You are to caution the convicts against using abusive  
language, or otherwise ill-treating the constables or overseers in  
the execution of their duty, such conduct being equally subversive  
of good order and propriety as if used to yourself, and it is to be  
punished in the same way.
- Issuing clothing. 21. When slops are to be issued, and the supply happens to fall  
short of the demand of those who are entitled to them, you are to  
exercise your discretion in the distribution of them, and to give  
orders on the storekeeper to those who appear most in want of  
them. You are also to inform those who cannot then be served,  
that they will receive their proportions on the first arrival of slops  
from Sydney.
- Penalty for selling clothing. 22. All slops, as well after as before distribution, being the  
property of Government, you are to caution the convicts against  
selling or exchanging them, and the public against buying of them,  
as they will be thereby guilty of felony; and persons so buying  
slops of any kind are to be prosecuted and punished accordingly  
by law.
- Reducing the ration. 23. In case of any occasional deficiency in the wet or dry  
provisions which may require a reduction to be made in the usual  
ration, you are to issue an order to the storekeeper specifying the  
nature and extent of the reduction which he is to make. When  
such deficiency is of a very short, temporary nature, you are to  
make it good on the arrival of fresh supplies, and you are to  
apprize all persons on the stores of the necessity for the reduction,  
and of the intended recompense on the arrival of further provisions.  
This may prevent dissatisfaction on their part, and is but an act of  
justice towards them.
- Oil. 24. No oil is to be issued from the stores but by your order,  
wherein you are to exercise your discretion and be governed by the  
nature of the demand and the quantity in store.
- Full rations. 25. When full rations are to be issued you are to give an order  
to that effect to the storekeeper, and to specify the quantity of  
each article to be issued in the ration. This order you are to give  
weekly, on the day previous to the weekly issue, and you are also to  
prescribe the quantity of the ration when you may find it necessary  
to reduce it, in the same specific manner as when a full ration can  
be afforded.

26. You are strictly to prohibit any person from going on board any ship or vessel that may arrive in the Coal River, unless he or she has first obtained your permission to do so, under pain of corporal punishment, to be inflicted in moderation and humanity. Masters of ships or vessels carrying off, or even receiving on board, any person without a pass from you, are to be reported to the Governor through the Secretary.

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1 Oct.

Boarding  
vessels.

27. In case any ship or vessel should be wrecked or stranded in the Coal River, or on the neighbouring coasts, any property which can be saved out of such vessel is to be put into the Government stores for the use and benefit of the owners; and should any person be found using or embezzling any part of such property, the offender is to receive corporal punishment, or to be transmitted to head-quarters to be prosecuted according to law, according as you consider best suited to the degree of the offence.

Wreckage.

28. Blacksmiths and nailors found working up iron hoops or other articles made of iron, without being able to give a clear and satisfactory account of their having obtained them honestly, you are either to punish by corporal chastisement, or to transmit them to head-quarters to be prosecuted for felony, according to the extent and circumstances of the offence.

Iron  
workers.

29. An improper and injurious custom subsisting among some of the convicts, of purchasing and collecting provisions at low prices from their fellow prisoners, whereby the latter are deprived of their necessary subsistence, and the purchasers send the same to Sydney or barter them to sailors and masters of vessels in the Coal River for spirits or other articles, you are most strictly to caution all persons against this practice. And should it be proved that the master of a vessel or sailor has purchased articles in this way, you are to order their immediate departure from the Coal River, and to represent the circumstance by the first opportunity to the Governor. The articles so bartered or sold you are to cause to be seized, and to give one half to the informer who proves the fact, and the other half to the most helpless and harmless among the convicts. You are also to give moderate corporal punishment to the convicts so offending, and to report their conduct to the Governor.

Bartering  
provisions.

Penalties.

30. You are strictly and publicly to forbid every kind of barter between the masters of vessels and the convicts, under the penalties specified in the foregoing article.

Bartering  
with  
convicts.

31. It being equally necessary for the security of the colony, and of all vessels lying in the Coal River, that the masters and sailors belonging to them should sleep on board, you are to direct all masters and sailors to go on board their respective vessels before 8 o'clock at night in the winter season, and before 9 o'clock in the summer months. Sailors, for a first offence, are to be confined for the night and sent on board next day, and not to be permitted on

Sailors not  
to be on  
shore at  
night.

1810

1 Oct.

that occasion to land again ; for a second offence they are to receive 25 lashes, and to be put to Government work until the Governor's pleasure shall be made known to you ; and masters of vessels acting in disobedience to this order are to be confined for the night, and you are to report their conduct to the Governor.

Harbouring  
sailors.

32. You are strictly to forbid all persons from harbouring or permitting any master of a vessel or sailor to remain in their houses, huts, or lodgings after bell ringing at 8 o'clock in the evenings in winter, and 9 o'clock in summer, contrary to the foregoing article ; and a breach of this injunction is to be punished by forfeiture to Government of all houses or huts wherein they have been so harboured. The persons so harbouring them are also to receive moderate corporal punishment.

33. You are to authorize the centinel at the wharf to detain any master of a vessel or sailor who shall be found transgressing the 31st article of these instructions.

Timber  
preserva-  
tion.

34. The inhabitants at large are to be cautioned against cutting down or burning cedar or honeysuckle without having first obtained your permission, those woods being required by Government for other purposes than fuel, and you are to prosecute any breach of this order as a felony.

Shipping  
regulations.

35. All persons, whether belonging to or passengers on board of any vessel in the Coal River, are immediately to repair on board said vessel so soon as she has cleared out, and they are to hold no communication with the shore afterwards, unless in case of accident or other unforeseen emergency, and in such case they are to obtain your permission.

Protection of  
coal mines.

36. Much injury having been done to the coal-mines by persons destroying the pillars which support the roofs of the pits in a most wanton and improper manner, you are to prohibit any person from removing coals from thence without having your permission, and then they are not to remove them, unless some of the miners or other person appointed to guard them is present to prevent damage.

Caution to  
bathers.

37. Some lives having been lost by persons bathing on that part of the beach when there is a heavy surf, you are to caution all persons against bathing in any other place than on the beach within the harbour, to the westward of the wharf.

Sunday  
observance.

38. The convicts are to be regularly mustered every Sunday morning, and, when the weather permits, you are to read prayers to them yourself, or to get the Assistant Surgeon to do so. On such occasions the military are to attend also, and you are to inform the convicts that you will expect them to appear clean and decent in their dress, according to their situations and the clothes they have received from Government. Convicts not attending, unless prevented by ill-health, you are to punish by confinement and additional labour for the ensuing week.

39. . . . . Should any occurrence take place which is not exactly provided for in these instructions, you are to be guided by the general spirit and tendency of them, always administering justice with clemency; and you are at all times rather to forego punishment than to inflict it where the evidence of guilt is not perfectly clear and satisfactory.

1810

1 Oct.

Tempering justice with mercy.

L. MACQUARIE.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Thursday, 4th October, 1810.

4 Oct.

A VERY indecent and improper custom having lately prevailed of soldiers, sailors, and inhabitants of the town bathing themselves at all hours of the day at the Government wharf, and also in the dockyard,—His Excellency the Governor now directs and commands that no person shall bathe at either of those places in future at any hour of the day; and the sentinels posted at the Government wharf and in the dockyard are to receive strict orders to apprehend and confine any person transgressing this order.

Bathing in Sydney Cove.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Saturday, 6th October, 1810.

6 Oct.

IT being highly necessary that peace and good order should be preserved at the ensuing races, and that no gaming, drunkenness, swearing, or fighting should be permitted,—His Excellency the Governor gives this public notice that no booths, stalls, or shops will be allowed to be erected on or near any part of the race-ground during the race week; and that any person selling, or attempting to sell, any wine, liquor, or beer on or near the race-ground during the race week, will be deprived of their licenses (if they have had any) and prosecuted besides for a breach of these orders.

The races on Hydo Park.

His Excellency, therefore, strictly forbids and prohibits all species of gaming, drunkenness, swearing, quarrelling, fighting, or boxing taking place on or near the race-ground. Any person transgressing these orders, or who is detected creating any noise or disturbance, will be immediately apprehended and confined in gaol; and the constables will have strict orders to this effect.

Disorders of the race-course.

GOVERNMENT AND GENERAL ORDER.

Saturday, 6th October, 1810.

HIS Excellency the Governor being extremely desirous to do everything in his power that can in the least degree contribute to the ornament and regularity of the town of Sydney, as well as to the convenience, accommodation, and safety of the inhabitants thereof, has already, in prosecution of these views, divided the town into five separate districts,\* and has given directions for the

Sydney divided into districts.

\* The district boundaries are given in the Police Regulations, post, p. 479.

1810

6 Oct.

erecting immediately a proper watch-house in each district for the protection of the inhabitants from night robberies, and for the more effectually securing the peace and tranquillity of the town, and apprehending all disorderly and ill-disposed persons committing nightly depredations. In further prosecution to these views, His Excellency also intends to establish a well regulated and strict system of police in the town as soon as the watch-houses are completely finished.

Naming the streets.

As a necessary preparatory step to the proposed arrangements, His Excellency deems it expedient to give regular and permanent names to all the streets and ways leading through the town, and to order posts and finger-boards, with the names of the streets painted on them, to be erected in conspicuous parts of the different streets where they cross each other, as well as at their respective terminations. These posts and finger-boards are accordingly to be immediately put up, and the streets are henceforth to be known and called only by the new names now given them.\*

George-street.

The principal street in the town, and leading through the middle of it from Dawes's Point to the place near the Brickfields, where it is intended to erect the first toll-bar, being upwards of a mile in length, and hitherto known alternately by the names of High-street, Spring-row, and Serjeant-Major's-row, is now named "George-street," in honour of our revered and gracious Sovereign.

Charlotte-place.

The open space of ground, or area, whereon the church of St. Phillip now stands, and which is hereafter intended to be formed into a handsome square (the street hitherto known by the name of Church-street forming the west side thereof), has been named "Charlotte-square," in honour of Her Majesty, by which name only it is henceforth to be denominated.

Macquarie-place.

It being intended to remove all those old buildings and inclosures now on that space of ground which is bounded by the Government Domain on the east, by the Judge-Advocate's, Secretary's, Chaplain's, and Commissary's houses on the south, by the spring of water and stream on the west, and by the houses of Mr. Lord, Mr. Thompson, and Mr. Reibey on the north, and to throw the same into an open area, the said area or space of ground has been named "Macquarie-place," and it is henceforth to be so nominated.

The markets.

The present Market-place being very badly and inconveniently situated, it is His Excellency's intention to remove the market very soon to a more commodious and central situation for the inhabitants of the town in general. The place thus intended to remove the market to is that piece of open ground (part of which was

\* See Government and General Order of 27th October, 1810 (post, p. 444), for names and limits of streets other than those named in this Order.

ately used by Messrs. Blaxland as a stockyard, &c.), bounded by George-street on the east, York-street on the west, Market-street on the north, and the burying ground on the south, and is henceforth to be called "Market-square."\* 1810 Oct.

For the further accommodation and convenience of the inhabitants in general, and particularly of those persons bringing corn or other grain, goods, or other merchandize, in vessels or boats from the Hawkesbury, &c., to the market, it is intended to erect a wharf immediately at Cockle Bay, contiguous to the new Market-place; and from thence there will be a good road or street made to communicate directly with the said Market-square, and which, when completed, is to be called "Market Wharf." Market Wharf.

The whole of the open ground yet unoccupied in the vicinity of the town of Sydney, hitherto known and alternately called by the names of "The Common," "Exercising Ground," "Cricket Ground," and "Racecourse," bounded by the Government Domain on the north, the town of Sydney on the west, the Brickfields on the south, and Mr. Palmer's premises on the east, being intended in future for the recreation and amusement of the inhabitants of the town, and as a field of exercise for the troops, the Governor has thought proper to name the ground thus described "Hyde Park," by which name it is henceforth to be called and denominated. Hyde Park.

The Governor being desirous to prevent any incroachments from being made on the Park by brickmakers, and the Acting-Surveyor having been directed to mark out for this purpose a boundary line, dividing Hyde Park from the Brickfields, and which line of demarcation runs from the rear of Mr. Wilshire's lease† across to Mr. Palmer's premises, His Excellency commands and directs that none of those persons who have obtained permission to make bricks shall in future, on any pretence whatever, presume to cut up any ground for that purpose beyond the line fixed upon as the boundary for the brickfields. Any person transgressing this order will be deprived of the indulgence of making bricks in future, and be prosecuted besides, according to law, for such trespass. The brickfields.

In further view to the accommodation and convenience of the inhabitants of the town of Sydney, particularly of those who have horses or other cattle that they may wish to have grazing for within short distance, it is His Excellency's intention to have a large Common marked out immediately within as short a distance of the town as circumstances will admit, and which will be publicly notified as soon as the ground is measured and marked out. The town common.

\* The new market square was thrown open on 25th October, 1810.

† Wilshire's lease was situated on the eastern side of George-street (to which it had a width of 250 feet), near where Wilmot-street now runs through to Pitt-street. Palmer's premises were situated in Woolloomooloo, slightly to the north of the intersection of Illian-street and Palmer-street.

1810

## GOVERNMENT AND GENERAL ORDER.

20 Oct.

Government House, Sydney,

Saturday, 20th October, 1810.

Market-square.

His Excellency the Governor having fixed upon and allotted a central and commodious place in the town of Sydney for holding the public market in, naming the said place "Market-square,"\* and having also caused to be erected and prepared therein a dwelling house for the clerk of the market and his assistant; a market house or store for the reception of all kinds of grain, goods, merchandise, or other necessary articles; stalls for the convenience of such persons as may bring any articles for sale there; and pens for the accommodation of such horned cattle, sheep, or swine as may be brought thither,—His Excellency commands and directs that the market shall be accordingly removed to the new place thus appointed for it on Thursday next, the 25th instant, and that it shall continue to be held there in future.

Regulations.

His Excellency the Governor has thought proper to frame and establish the following rules and regulations for the better management and more regular conducting of the sales in the public market in the town of Sydney, and all persons are hereby commanded and directed to pay due obedience to, and be governed by, the several regulations hereinafter specified, as well as by the proclamation issued and promulgated by His Excellency the Governor, under date the 27th of last month, and published in the three last *Sydney Gazettes*, for the prevention of forestalling, regrating, and engrossing:—

Clerk of the market.

1st. That there shall be a competent person appointed to be clerk of the market, with a suitable salary, and with an assistant under him, both of whom shall be sworn in as constables, and that they shall have the power of settling and arranging all matters tending to the order, regularity, peace, and quietness of the market.

Duties of the clerk of markets.

2nd. That the clerk of the market shall have the care of the market house or store, as well as of all stalls and pens that are now or may be hereafter erected in the Market-place for the convenience of such persons as may bring for sale there any grain, meat, poultry, eggs, butter, vegetables fruit, or other articles, for which convenience the occupiers of the same shall pay a certain sum for every day's occupation before the close of the market on each respective day.

Live stock.

3rd. That the proprietors of such horned cattle, sheep, goats, or swine, as may be brought to the market for sale, shall pay a certain sum (hereinafter specified) for each head of such animals, to

\* The spot allotted by Macquarie was that on which the Queen Victoria Markets now stand. Originally the ground was leased by the Crown to John Flemming, by whom it was sold to the brothers Blaxland. They used it as a stock-yard, in conjunction with another leasehold on the opposite side of George-street.

defray the expences of erecting, repairing, and cleaning out the pens prepared for their reception ; and that all horned cattle, sheep, goats, or swine so brought to market for sale shall be secured in such pens. 1810  
20 Oct.

4th. That the clerk shall have the general superintendence of everything relative to the market, and shall collect and receive all Market fees. tolls, dues, and fees from the respective persons liable to pay the same, and shall keep a book in which he shall enter a regular account thereof, a copy of which he shall lay before the Bench of Magistrates every quarter for their inspection, which accounts, after being examined and approved by the Bench of Magistrates, are to be submitted by the clerk of the market to His Excellency the Governor, who will thereupon direct the amount of such tolls and dues to be paid into the hands of the treasurer of the Police Fund, from which the salary of the clerk, and all the other ordinary and necessary expenses of the market are to be defrayed.

5th. That all persons shall be obliged to lodge in the market house or store all such quantities of corn, maize, wheat, oats, Receipt of produce. barley, hops, malt, or potatoes, as they may bring to market for sale ; that the clerk shall receive the same, and, if required, shall immediately weigh and give a receipt for the same to the owners or bringers thereof.

6th. That the clerk of the market shall keep a book, in which he shall enter the names of such persons as shall lodge in the said store any corn, &c., with the respective quantities of the corn, &c., Accounts to be kept. so by them respectively lodged, the quantities sold, and the prices at which the same were sold, to which he shall put his name at the close of each market day, and shall give to the respective owners fair samples of the different articles they may lodge in the store, in order that the same may be sold thereby.

7th. That the clerk of the market shall weigh all such quantities of the different articles lodged with him as may be sold, in the presence of the buyer and seller thereof, and shall enter the same, Record of sales. with the prices for which they were sold, in the book as aforesaid ; and that he shall receive for such weighing from the buyer the sum of one penny for each and every hundredweight, and so in proportion for any quantity below or above a hundredweight, and shall not be obliged to deliver the same until such sum be paid.

8th. That all persons who may lodge any corn, wheat, oats, Cost of storage barley, hops, or potatoes in the store as aforesaid, shall, upon such lodging, pay for each and every bushel of wheat or barley three-pence ; for maize or oats, two-pence ; and for potatoes three-pence per hundredweight, and so in proportion for any quantity below or above that measure in weight ; and in case the articles so lodged in the said store are not sold on the market day, the owners of such articles shall be obliged to pay for store-room rent for each and every succeeding market day the said articles remain lodged

- 1810 therein, and that the clerk shall receive the said store-room rent,  
20 Oct. and shall not deliver such corn, &c., until such sums as may be due thereon are paid.
- Weights and measures. 9th. That the clerk of the market shall be provided with proper scales, weights, and measures of the greatest possible accuracy, and regularly stamped, and that all other scales, weights, and measures shall be adjusted thereby.
- Inspection of weights and measures. 10th. That he shall inspect, at such times as he shall think proper, all such scales, weights, and measures as may be in use in the town of Sydney; and that he shall seize all such as he shall find fraudulent or defective, and shall deliver over the same to the chief constable, who shall produce the same, and summon the owners thereof to appear before a Bench of Magistrates, who shall proceed thereon according to law.
- The hundred-weight. 11th. That potatoes, and all other articles usually sold by the hundredweight, shall weigh one hundred and twelve pounds.
- Prevention of abuses. 12th. That the clerk of the market and his assistant shall be vigilant in preventing all forestalling, regrating, and engrossing, and shall give information of all forestallers, regrators, and engrossers to the Judge-Advocate, or to any magistrate, that they may be prosecuted according to law.
- Samples. 13th. That the samples of wheat and other grain shall be exposed in separate divisions, and in the most conspicuous part of the market, with the prices of each affixed by labels, for the inspection of bakers and others wishing to become purchasers.
- Hucksters. 14th. In order to guard as much as possible against forestalling, regrating, and engrossing, the clerk of the market is not to suffer any huxters or dealers residing in Sydney to purchase, or cause to be purchased, any articles brought for sale to the said market, until after the close of the market on each respective day.
- Produce not lodged in store. 15th. That carts bringing wheat, maize, or other grain, potatoes, &c., &c., to market, if not regularly lodged in the store, shall be equally liable to pay the regulated store room rent and dues as if the said articles of grain, &c., were lodged therein.
- Dues on cattle. 16th. That the clerk of the market shall be entitled to demand, and receive from the proprietors and owners, or sellers thereof, the following dues or tolls for cattle, &c., lodged or secured in the pens provided for their reception, viz. :—For horned cattle, two shillings and sixpence per head; for sheep, goats, or swine, one shilling per head. He shall also be entitled to demand and receive from all persons hiring or selling their goods, wares, or merchandise in the stalls erected for their convenience in the Market-place, the sum of two shillings per week for each stall so hired or used; and all other persons bringing any articles for sale to the market, and who do not hire or use the said stalls, shall be obliged to pay the clerk immediately on being permitted to pitch their said goods in the market-place the sum of one shilling each market day.
- Stall-holders.

17th. That all payments of tolls, dues, and fees made to the clerk of the market for store-room rent, stalls, pens, or pitching of goods, &c., &c., shall be collected by and paid to him in copper coin; and in default thereof he or his assistant is authorised to seize and sell the goods or wares of such defaulter or defaulters to make good the said payments so due by such defaulters. 1810  
20 Oct.  
Rents and  
fees.

18th. That no person on any account is to be permitted to reside permanently in, or make a dwelling of any of the stalls, sheds, or pens erected in the market-place, nor to vend or sell spirituous liquors, ale, beer, or porter therein, nor to be engaged by any person, excepting real venders of cattle, goods, and other articles brought regularly to market for sale. Residence  
prohibited.

19th. That the market shall be held at the established place in the town of Sydney every Saturday, and shall open regularly by the ring of a bell at six o'clock in the morning during the summer months, and at seven o'clock in the morning during the winter months or short days, and shall close by the ring of a bell, both during summer and winter, at 12 o'clock at noon of each market day. Market day.

20th. That a bell shall be provided for the use of the market, and be hung up in it, which the clerk of the market or his assistant is to ring precisely at the hours directed for the opening and closing of the market; no person is to be allowed to remain in any of the stalls or sheds, or in any other part of the market-place, on any pretence whatever, after sunset, at which time the clerk or his assistant must take care to lock up the market for the night. Early-  
closing.

21st. That a table of all the tolls, dues, and fees payable in the market shall be placed and hung up on a board in some conspicuous part of the market that all persons may see and read the same.

22nd. That upon every Friday the clerk of the market shall give in a return to the magistrates of the average prices at which corn, wheat, butchers' meat, poultry, &c., &c., were sold on the preceding Saturday; and also of the quantities respectively sold of each article. Return of  
prices.

23rd. That the clerk and his assistant, being both sworn in as constables, shall have authority to apprehend and send immediately before a magistrate any person making riot or disturbance, or endeavouring to prevent a free sale of the different articles brought to the market. Special  
constables.

24th. That all persons refusing or neglecting to comply with the foregoing rules and regulations, or insulting or resisting the clerk of the market or his assistant, or either of them, in the performance of their duties, upon conviction thereof, on the oath of one witness, before a Bench of Magistrates, shall suffer such fine and imprisonment as to the said magistrates shall seem reasonable. Offenders.

Given under my hand, at Government House, Sydney, this  
20th day of October, 1810.

LACHLAN MACQUARIE.

1810

## GOVERNMENT AND GENERAL ORDER.

20 Oct.

20th October, 1810.

Clerk of the  
market.

His Excellency the Governor has been pleased to appoint Mr. Mathew John Gibbons to be clerk of the public market, in the town of Sydney, with a salary of fifty pounds sterling per annum, which is to be paid him from the Police Fund, commencing from the 1st of the present month. Mr. Gibbons has also been appointed a constable in the town of Sydney, and is to be accordingly obeyed as such.

Assistant  
clerk.

William Hawkins is appointed assistant to the clerk of the market, and also a constable in the town of Sydney, and to be obeyed as such.

His Excellency the Governor has been pleased to appoint Richard Cheal to be overseer of the brick and tile makers, in the room of John King, proceeding to England.

## EX-GOVERNOR BLIGH TO SECRETARY CROKER.

25 Oct.

Sir, Hindostan, at Spithead, 25th October, 1810.

Bligh's  
arrival in  
England.

I have the honor to acquaint you, for the information of the Lords Commissioners of the Admiralty, that I am arrived from Port Jackson, New South Wales, which place we left on the 12th of last May. My anchoring at Rio de Janeiro their Lordships will have been made acquainted with by my dispatch in the packet from thence, which sailed on the 12th of August, three days prior to our departure. The Porpoise and Dromedary parted company before we entered the Channel, as will appear in the list of ships under my convoy.

I have, &amp;c.,

W<sup>M</sup> BLIGH.Starting for  
London.

Since writing the above, the Dromedary has anchored at Spithead. I beg leave farther to state that I have received permission from Admiral Sir Roger Curtis to proceed to London, and shall set off this evening.

## CAPTAIN FLINDERS TO THE EARL OF LIVERPOOL.

My Lord,

London, 25th October, 1810.

Flinders  
sails from  
Sydney.

After the shipwreck of H.M. ship Porpoise, off the east coast of New South Wales, in 1803, on board of which ship I was a passenger, the late Captain P. G. King, Governor of New South Wales, furnished me with the Colonial schooner Cumberland, of twenty-nine tons, in order to my reaching England by the most expeditious route, with the charts and journals of my voyage of discovery.

Puts in at  
the Isle of  
France.

Circumstances of urgent necessity obliged me to stop at the Isle of France in passing by; and there, notwithstanding my ignorance of the war which had just again broken out, notwithstanding my

passport from the First Consul of France, the pacific nature of my employment in the service of science, and the shipwreck from which we had just escaped, the schooner *Cumberland* was seized, with all my books, charts, papers, and despatches, and myself and people made prisoners. After more than three years of detention, mostly in close confinement, an order of the Marine Minister of France arrived to set me at liberty, and restore the *Cumberland*. Of this order I received the official communication as it is given in the annexed paper No. 2.\*

1810

25 Oct.

The execution of this order was evaded under pretexts with which I am unacquainted ; nor were my repeated efforts to obtain liberty under any conditions attended with any better effect than were the previous applications of His Excellency the Marquis Wellesley, of Lord William Bentinck, or of Sir Edward Pollew, to the same effect. At length, when my imprisonment had been prolonged to six years and a half, the French Captain-General thought proper to comply with a request of Lord Minto, Governor-General of British India, and allowed me to embark in the *Harriet*, cartel, which had arrived with prisoners from Bengal. My endeavours to obtain restitution of the despatches and of the schooner, with her contents, were now repeated, and the only satisfaction I am able to give your Lordship relative to this Colonial vessel, and to the despatches, is contained in the annexed paper from Mr. Commissary Hope.

Detained a  
prisoner for  
six years.

His  
despatches.

The despatches have doubtless been disposed of long since, and the value of the schooner did not, I believe, exceed three thousand Spanish dollars ; but I thought it my duty to give this short detail of the circumstances attending them, that, as the French Government evidently intended the schooner to be given up, such steps may be taken as shall be judged proper ; and should any further information be required of me, I am ready to attend your Lordship's commands.

Value of the  
*Cumberland*

I have, &c.,

MATT'W FLINDERS,

Late Commander of H.M. ship the *Investigator*.

[Enclosure.]

THIS is to certify, to whomsoever it may concern, that after having succeeded in executing that part of the instructions of His Excellency Lord Minto, Governor-General of British India, relating to the liberation of Matthew Flinders, Esq., late commander of His Maj's ship *Investigator*, who had been detained more than six years in the Isle of France, I did, at the request of Captain Flinders, make a personal application to His Excellency General De Caen for the third volume of his log-book of his voyage of

Flinders's  
log book  
detained by  
De Caen.

\* This letter, dated 21st March, 1806, was from the French Minister of Marines to General De Caen. As it is given by Flinders at length on p. 460, vol. II of his *Voyage to Terra Australis*, it is omitted here.

1810 discovery, which that officer represented to me to be still kept  
 25 Oct. from him by His Excellency. That the answer to this was a  
 positive refusal both of the book and of permission to take a copy  
 of it, and the reason given for this refusal was that Captain F.,  
 not being set at liberty in consequence of any orders from France,  
 everything relating to this log-book, and to his little schooner  
 Cumberland, must remain to be settled between the French and  
 British Governments in Europe.

Certificates  
 refused.

I do further certify that Captain Flinders did, in my presence,  
 apply to the Chief of the Staff in the Isle of France for certifi-  
 cates of the above log-book and schooner being refused to be given  
 up to him, and also for a certificate of two boxes of despatches  
 having been taken from him on his arrival at this island in Dec'r,  
 1803, and that I have since made a similar application to the  
 same officer for the said certificates, but which have been positively  
 refused for the same alleged reason as before given to me by His  
 Excellency the Captain-General De Caen.

Witness my hand, on board the Harriet cartel, in Port  
 Napoleon, Isle of France, this 9th day of June, 1810.

H. HOPE,

Commissary and Agent of the British Government  
 in India for the Exchange of Prisoners.

#### CAPTAIN FLINDERS TO SIR JOSEPH BANKS.

London, Norfolk Hotel,

Sir, Thursday evening, 25th October, 1810.

Flinders  
 arrives in  
 England.

I have the happiness to inform you of my arrival in  
 England yesterday morning and in town this morning. The  
 circumstances of my release are as extraordinary as were those of  
 my imprisonment, but they are too long for me to detail at this  
 moment; suffice it to say that I quitted the I. of France on June  
 13 and the Cape on Aug. 28.

His  
 promotion  
 in the Navy.

I saw Mr. Yorke this morning, and also the secretaries, Messieurs  
 Croker and Barrow, and my old friend Pierce; and I find in every-  
 body a disposition to appreciate what I have done and what I have  
 suffered. I first found that my promotion was dated Sept. 24 last,  
 but I have got it put back to April 9, and moreover have the  
 approbation of Mr. Yorke to present a memorial to the Admiralty  
 for its being dated at the time it may be supposed I might have  
 arrived had not my unjust detention taken place; and if I am  
 able to shew that my case bears no resemblance to those of the  
 officers made prisoners of war, which I never was, and that my  
 Lord Spencer had given a promise that I should be promoted on  
 my return, I have every reason to hope that it will be done, either  
 by the Admiralty upon its own authority or by the decision of

the Council of State. My first step will, therefore, be to call and pay my respects to Lord Spencer, and to learn whether he will allow me to bring this promise forward. 1810  
26 Oct.

I am to have the honour of dining with Mr. Yorke on Monday next, and I have some hope, Sir Joseph, that I may be gratified with seeing you in town very soon, more especially as I learned immediately on my arrival that your health had become ameliorated in a surprising manner. His relations with Banks.

When I quitted Portsmouth the Dromedary had arrived at St. Helens, and it was reported that Governor Bligh was on board.

I beg that my best respects may be rendered acceptable to my Lady Banks, and that you will believe me to be, with the highest consideration, sir,

Your, &c.,

MATT'W FLINDERS.

GOVERNOR MACQUARIE TO EARL LIVERPOOL.

Sydney, New South Wales,

My Lord,

27th October, 1810.

27 Oct.

1. I have the honor to acknowledge the receipt of your Lordship's letter, under date the 1st of November, 1809, by the Canada transport, which arrived here on the 8th of September last, announcing His Majesty's appointment of your Lordship to the seals of the Colonial and War Departments, in the room of Lord Viscount Castlereagh; on which occasion I beg leave to offer your Lordship my best congratulations. Previous correspondence.

2. The Canada transport brought hither one hundred and twenty-one female convicts, all of whom arrived in good health, and had been well treated by the commander and surgeon of that ship during the voyage, one only having died on the passage, who, according to the surgeon's report, was in ill health when she was embarked. Female convicts.

3. The greater part of these convicts soon after their arrival were assigned over as indented servants for the space of three years to the different settlers, who were on the occasion required to execute the bonds for retaining them for that period in their respective services and for their humane and proper treatment of them. Out of the entire number of one hundred and twenty-one, there are now only thirty-two remaining undisposed of, and they are usefully employed in the Government cloth manufactory, some time since established at Parramatta. Assigned to settlers.

4. By the Canada I have received the assignments of sixty-two female convicts, transported hither some time ago in the Indispensable, and also of one hundred and ninety-nine male convicts, transported in the ship Anne. The assignment for the females last arrived has not yet reached me. I have also received by this conveyance a letter from Mr. Jenkinson, enclosing His Majesty's free pardon for John Sculler, a convict at the settlement of Hobart. Consignments of convicts.

- 1810  
27 Oct. Town in Van Dieman's Land, and I shall lose no time in carrying His Majesty's gracious intentions into effect. The provisions and slops shipped on board the Canada for the use of the convicts during the voyage, and for nine months after their arrival, have been received and deposited in the King's stores.
- \* \* \* \* \*
- Previous correspondence. 6. Having entered very fully, in my last dispatch, into a minute detail of my proceedings, from the period of my taking charge of this colony up to the date of that dispatch, I must now beg leave to refer your Lordship principally to it for such information as you may be desirous of being possessed of respecting it. Nothing of very material importance has occurred since the sailing of the squadron with Commodore Bligh, and I shall therefore only have occasion to call your Lordship's attention to a very few points which require to be submitted for your information and consideration.
- The harvest 7. I have great satisfaction in reporting to your Lordship that there is at present a fair prospect of a good and plentiful harvest.
- Live stock. The horned cattle and sheep are fast increasing, and the general state of the colony is prosperous and improving. A turnpike road and a number of bridges on it are a constructing between this and Hawkesbury, a distance of nearly forty miles, and a turnpike road from hence to Parramatta, being a distance of nearly seventeen miles, will be completed in a few weeks. The improvements carrying on in the town of Sydney are the repairing of old and the opening of new streets and lanes, and the erecting of bridges, all which will not only add to the general appearance and ornament of the town, but will also render a very important advantage to the inhabitants. The improvements will also essentially contribute to the efficacy of a system of streets and regular police, which I have at present under consideration, and mean very shortly to carry into effect—an object long anxiously sought for, and very much required.
- Roads and bridges.
- A Government bank. 8. I take the liberty of requesting your Lordship's particular attention to the 70th paragraph of my dispatch, No. 3, under date the 30th of April,\* addressed to Lord Castlereagh. It is on the subject of establishing a Government Bank in this colony similar to that at the Cape of Good Hope. I suggested it under the fullest conviction that such an establishment here would be attended with advantages of the utmost importance to its increasing trade and prosperity, and I earnestly hope that your Lordship will fully approve of it being established, either on the principles I have proposed, or on such others as may appear to your Lordship better calculated to effect the desired object, and that you will honor me with your sanction and instructions for the establishing of it with the least possible delay. In the meantime, the colony being much distressed by the want of a sufficiency of copper coin to circulate in the lower branches of trade, I beg to suggest that a supply to
- Copper coin wanted.

\* Ante, p. 348.

the amount of about five thousand pounds in copper coin would render a very material service, as that sum would be put into circulation at double its British value, giving an addition of ten thousand pounds to the present currency, whereby the lower classes would be saved from much of the embarrassment and loss to which they are now exposed by being obliged to take the depreciated paper currency of individuals, who carry on a shameful traffick in notes, most highly to the prejudice of every class of the society. Should your Lordship see the necessity for such a supply in the same point of view as I do, I will hope to receive it by the first good opportunity, consigned to and on account of Government.

1810

27 Oct.

9. The latest accounts received from the settlements at the Derwent, Port Dalrymple, and Norfolk Island represent those places as being well supplied with provisions, and the inhabitants peaceable and happy. The two former places are in a very thriving state. As to the latter, it never can, in my opinion, be of the least advantage or benefit to the British Government, or to this colony, in any possible point of view. This being my opinion of Norfolk Island, I beg leave to recommend most strongly that the establishment be withdrawn from it and totally evacuated; and I request your instructions to this effect. I beg to refer your Lordship on this subject to the 60th paragraph of my 3rd despatch, wherein I have fully explained my sentiments respecting that place.

Subordinate settlements.

Norfolk Island.

10. The Norfolk Island settlers who were removed from thence some time ago (in consequence of Mr. Secretary Windham's instructions) to the Derwent and this place, having remained a long time unsettled with, and being now very urgent to get their claims on Government finally paid off, I have agreed to liquidate them without further delay, and have accordingly sent instructions to the Commandant at Hobart Town to settle with those of the Norfolk settlers resident at the Derwent, and I mean to do the same immediately with those resident here. I am sorry to say that their claims in the aggregate amount to a large sum of money—I think about seven thousand pounds sterling; but as I mean to pay them partly in cattle from the Government herds at the Derwent and here, I shall not be under the necessity of drawing on the Treasury for more than about two-thirds of that amount.

Settlers from Norfolk Island.

Claims on the Government.

11. I am concerned at being under the necessity of drawing so largely on the Treasury since my taking charge of this Government; but the exhausted and almost empty state of the public stores at the time of my arrival left me no practicable alternative; and I beg to assure your Lordship that I have neither ordered, nor authorized, a single purchase, either here or at the out settlements, which was not imperiously necessary for the subsistence and support of the colony, or for the carrying on the public works now on hands, and the other unavoidable expences of the public service.

The public stores.

1810  
27 Oct.  
Commissary's  
accounts.

Stock of  
grain.

Clothing for  
convicts

Heavy  
expenses.

Subordinate  
settlements.

Separate  
accounts  
kept.

12. I do myself the honor to transmit to your Lordship herewith, copies of the Commissary's account with the Lords of the Treasury for the two last quarters, ending respectively on the thirtieth of June and thirtieth of September, containing the list of the several purchases, and of the bills drawn for their respective amounts, during those two quarters.\* I apprehend the amount of the bills so drawn will appear very large to your Lordship in so short a period; but when I explain to your Lordship that there is now remaining in store a sufficient quantity of grain to victual all those persons who are entitled to provisions from the Government stores for at least five months from the present time, and that a considerable proportion of the amount charged for provisions has been incurred for the subordinate settlements at the Derwent and Port Dalrymple, and that large sums of money have been unavoidably expended in the purchase of sloop clothing for the convicts, who were in a wretched state of rags and nakedness on my arrival here; and further, when your Lordship considers the large sums which have been necessarily expended in the payment for various materials and workmanship indispensably requisite for carrying on and completing the new barracks, stores, and other public buildings now in progress,† I indulge the hope that your Lordship, fully adverting to these circumstances throughout, will not deem those expences unreasonable or greater than could be actually required to effect such a variety of important objects. At all events, I have felt the impossibility of making them less, notwithstanding my earnest desire to be a rigid economist of the public purse, and to avoid everything like unnecessary expence.

13. The whole of the expences of the subordinate settlements of Hobart Town, Port Dalrymple, and Norfolk Island are now blended with and included in the accounts of the colony, made up here, and transmitted from hence to England, and will be continued in that manner, unless I should receive orders to the contrary from Home, as I conceive it to be more regular and correct to make them up in this manner than to allow separate accounts to be kept, and bills to be drawn on the Treasury for their amount from each dependency; but as the late Colonel Collins, the Lieutenant-Governor at Hobart Town, and the acting Lieutenant-Governors or Commandants at Port Dalrymple and Norfolk Island, had been formerly in the habit of settling their own accounts, and drawing bills on the Treasury for the expences of those settlements, respectively, without having any reference to the Governor-in-Chief at head-quarters, I neither consider it advisable or necessary to prohibit their doing so, or to make any new arrangement

\* The total amount of these bills was £16,457.

† In his letter of 26th July, 1811 (post, p. 561), the Secretary of State made special reference to this subject. He expressed a hope that no buildings had been commenced which were not "indispensably required for the public service." The authorities at Home were apparently not ignorant of Macquarie's weakness in this respect.

with respect to those settlements until such time as the 102nd Regiment should be relieved, and that I should of consequence have it in my power to send officers of my own chusing to command at those three settlements. On this principle I permitted Lieutenant-Governor Collins, as likewise Lieutenant Lord, his successor in the command at Hobart Town, Captain Brabyn, of the 102nd Regiment at Port Dalrymple, and Captain Piper, of the same regiment at Norfolk Island, to settle their own accounts, and to draw on the Lords of the Treasury for their respective amounts up to the day on which they were relieved by officers and detachments of the 73rd Regiment. I trust your Lordship will see the propriety of my not rendering myself responsible for the conduct of persons of whom I had no knowledge whatever. The account of the expences of the settlement of Hobart Town for some months previous to the death of Colonel Collins, and for some time subsequent thereto, was laid before me by Lieutenant Lord, of the Royal Marines, for my approval; but the amount appeared to me so very great that I declined giving them my sanction or having anything whatever to say to them. At the same time, I signified to him that he would be held personally responsible to His Majesty's Ministers for such bills as he should draw on the Lords of the Treasury. I also made a similar communication to Captains Brabyn and Piper when they laid their accounts before me; but the amount of these did not appear greater than might have been reasonably expected, and hence I conclude their bills have been honored at the Treasury.

1810

27 Oct.

Officers  
allowed to  
draw bills.Expenditure  
at Hobart.

14. I am rejoiced to have it in my power to inform your Lordship that there is already within the short period of my government a very apparent change for the better in the religious tendency and morals of all the different classes of this community. Persons of all religious persuasions and descriptions attend Divine worship on Sundays, and I have all the convicts of both sexes here, and at the different dependencies, mustered every Sunday morning, and marched to church in their best clothes under the direction of their respective overseers and superintendants.

Religion  
and morals.

15. With a view to the decent education and improvement of the rising generation, I have already established several schools at head-quarters and the subordinate settlements, which I trust will not fail of being attended with very desirable effects.

Schools.

16. A few more chaplains and some additional schoolmasters are very much required, and it would be particularly desirable that some should be sent out as soon as possible. Chaplains of respectable, good, and pious characters would be of unspeakable benefit to a set of people at present dispersed over this country without any awe or religious restraint over them. Three more chaplains are absolutely necessary for the populous district of Port Dalrymple, George's River, and one additional for the town

Chaplains  
and school-  
masters  
wanted.

- 1810 of Sydney, which has of late become very extensive and populous,  
27 Oct. and therefore requires a second chaplain to perform the necessary  
clerical duties of it. In the event of your Lordship being pleased  
to send out more chaplains, I take the liberty to recommend that  
A clergyman Mr. George Plunket Ker, now in Holy Orders, should be one of  
recom- the number. Mr. Ker is about twenty-five years of age, of good  
mended. education, and excellent moral character, and in every respect well  
qualified for the ministry in this country. I therefore indulge a  
hope that your Lordship will be kindly pleased to submit Mr.  
Ker's name to His Majesty to be appointed a chaplain in New  
South Wales with a suitable salary. In case your Lordship  
should be pleased to attend to my recommendation in favour of  
Mr. Ker, his address is: "To the care of the Reverend Doctor  
Charles Campbell, Newry, Ireland."\*
- Stores and 17. The colony being at present very much in want of all kinds  
clothing. of stores, slop clothing, and salt provisions for the subsistence and  
use of those persons who are victualled by the Crown, I earnestly  
beg leave to press upon your Lordship's mind the necessity for  
sending out a ship as soon as possible with the supplies specified  
in the demand marked No. 17, which accompanied my letter  
under date the 30th of April last to Lord Castlereagh, the duplicate  
of which I have now the honor to transmit to your Lordship.
- The Govern- 18. I have the honor to transmit to your Lordship a schedule  
ment print- of sundry articles for the use and better conduct of the Govern-  
ing press. ment printing press at this place, which I take the liberty to  
request may be sent out along with the other supplies, and at the  
expence of Government, the printer being so poor as not to be  
able to purchase them himself.
- The port 19. Having lately revised and added some clauses to the port  
regulations. regulations of this place, I now do myself the honor to transmit  
to your Lordship two printed copies† of them, which I hope will  
meet with your approbation; and, if so, it may perhaps be expedient  
that such ships as may be permitted to come here in future should  
be furnished with a copy of them for their guidance and information  
on their arrival.
- Andrew 20. Mr. Andrew Thompson,‡ a most respectable and opulent free  
Thompson. settler, whom I had some time since appointed Chief Magistrate  
in the district of the Hawkesbury, having lately departed this life,  
leaving a very considerable property in land, houses, and cattle,  
and his executors being extremely desirous that Mr. Thompson's  
brother, or one of his nephews, amongst whom he has left one-half  
of his property,§ should immediately come out to this country and  
take the charge and management of his effects, I take the liberty

\* The offer was made to Mr. Ker, in conformity with Macquarie's wishes; but he declined, on the plea that he had "lately entered into the marriage state."

† Ante, p. 414.

‡ See vol. vi, pp. 262 (note) and 450.

§ Thompson left to Governor Macquarie one-fourth of his fortune.

to request that Mr. Thompson's brother, or one of his nephews (who live in the county of Cumberland), may be permitted to come to this country by the earliest opportunity, in case he should make application to that effect to your Lordship. 1810  
27 Oct.

21. It is my intention to set out from hence in the course of seven or eight days to visit and inspect the different out-settlements,\* and the interior parts of the colony, in order to make myself better acquainted with the nature of the soils, and of the progress hitherto made by the settlers in the cultivation and improvement of the country, and to enable me to make a report thereon in a future dispatch to your Lordship. A tour of inspection.

I have, &c., L. MACQUARIE,  
Governor-in-Chief of New South Wales.

[Enclosure.]

SCHEDULE OF PRINTING MATERIALS REQUIRED FOR THE  
GOVERNMENT PRESS IN NEW SOUTH WALES.†

Sydney, New South Wales, 24th October, 1810.

1 printing press, 3 pair of ball stocks, 1 dozen parchments, 1 pair demy, 1 pair copy chases, 3 composing sticks, viz., 2 of common length 14 lines long primer, one of extra length of 10 lines long primer. Printers' materials.

50 weight of pearlash, 100 weight of ink, 400 weight of long primer with double complement of cap's, small cap's, and figures, a few fractions and celestial signs, 1 lb. of capital S extra.

30 lb. long primer italic, extra caps, 5 lbs. flowers, 300 weight of pica, extra caps as above, 40 weight of italic, 3 lbs. flowers, 50 weight quotations.

100 weight double pica, 10 alphabets, 2-line long primer cap's full force.

50 weight cast leads, various lengths.

8 pair of cases, 12 shooting sticks, 3 plainers, 6 dozen brass rule, 3 dozen hackle teeth bodkin blades and 6 handles.

6 dozen pelts, 6 ley brushes.

The Royal Arms of the United Kingdom in brass, supporters couchant, about the size and form of the Arms that head His Majesty's speeches to Parliament; 2 metal ditto, 6-lines pica.

Ornaments, various small sizes in wood or metal, but metal preferred; 4 ships, 4 brigs, 3 schooners, 3 sloops, 2 horses, 2 do. with grooms, 6 houses.

L. MACQUARIE.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,  
Saturday, 27th October, 1810.

His Excellency the Governor having found it expedient to form and name a few more new streets and lanes in the town of Sydney with the view of dividing it the more readily into regular districts, the following plan of the said streets and lanes is now published for general information. Sydney streets.

LACHLAN MACQUARIE.

\* Macquarie started on this tour on 6th November, and returned to Sydney on 13th December, 1810.

† On 19th July, 1811, Robert Peel, the Under-Secretary for the Colonial Department, authorised the Commissioners of Transports to procure the materials and forward them to Sydney.

1810 PLAN and Description of Additional New Streets and Lanes in  
27 Oct. the town of Sydney, recently formed and named.

No.	Names.	Description.
<i>New Streets.</i>		
22	Gloucester-street ..	Next to and running nearly parallel with Cambridge-street on the east, and terminating in Middlesex-lane on the south.
23	Harrington-street ..	Next to and running parallel with George-street on the west, and terminating in Middlesex-lane on the south.
24	Argyle-street ..	Leading from George-street in a westerly direction, through the termination of Cambridge-street on the north, to Prince-street.
25	Elizabeth-street ..	Leading from Hunter-street in a southerly direction, on the west side of Clarkson's house, east of and running parallel with Castlereagh-street, and terminating in Hyde Park.
<i>New Lanes.</i>		
1	Middlesex-lane ..	Leading from George-street, on the south side of the gaol wall, in a westerly direction, and thence on the south side of the new watch-house in Cumberland-street, to Prince-street.
2	Surrey-lane.. ..	Leading from George-street in a westerly direction, on the north side of Mr. Kable's lease and south side of Thorley's lease, and thence to Prince-street.
3	Essex-lane .. ..	Extending from George-street, on the north side of Mr. Moore's lease, in a westerly direction into Harrington-street, and thence indirectly into Cambridge-street, and terminating in Cumberland-street.
4	Suffolk-lane ..	Leading from George-street, on the north side of Mr. Moore's wall, in a westerly direction indirectly into Harrington-street, and thence on the north side of the new watch-house in Cambridge-street to Cumberland-street.
5	Cornwall-lane ..	Leading from George-street, on the north side of Mr. Gaudry's premises, in a westerly direction into Cambridge-street, and thence, on the north side of West's Buildings, to Prince-street.

LACHLAN MACQUARIE

JAMES MEEHAN TO — LLOYD.

Sydney, New South Wales,

28th October, 1810.

28 Oct.  
Letters from  
England.

Hon'd Sir,

This is the third time I have taken the liberty of addressing you, and had twice written to your good father, and my friend, but have rec'd no answers since the 13th of Feb'y, 1808, being the date of the last letter from my father. Your most hon'd father complimented me with a few lines of the 6th Dec'r, 1807, dated Gloster, and was the first I ever rec'd in the colony. You, sir, may easily conceive the pleasure I felt on the occasion, after so many years seperation from my friends, notwithstanding receiving the tidings of the death of my eldest sister.

Meehan  
and the  
Governor.

I beg you, sir, to accept of my warmest thanks and gratitude for the trouble you have taken about me, in having me several times recommended to the Gov'r of this colony, none of which had found me out, as being sent in the name Mahon instead of Meehan. Our present Governor Macquarie has, since his arrival, discovered me to be the person so recommended, and has shewn me two such

sent to him by a Mr. Rolleston, Under Secretary of State, and says he was introduced to you by that gentleman before his departure from England, and authorized me to say that he will render me any service he can, consistently with his duty. I am much in his confidence, and have been several times a guest at his table in Government House. I mention this latter circumstance to shew you that I am not lightly thought of. . . . .

1810  
23 Oct.

\* \* \* \* \*

I have in my two last to you inclosed certificates, under the hand of Gov'r Macquarie, wherein he recommends me for the situation, in the event of Mr. C. Grimes, the Surveyor-General, not returning to reassume his duty. I have done the whole of the actual duty of Surveyor of the colony since Aug't, 1803, and am now the Acting Surveyor, as may appear by them certificates. It is a situation of much confidence, and I flatter myself I have discharged my trust and duty without reproach, and generally so as to give satisfaction. For my general character, for nearly eleven years residence in the colony, I refer to any and every gentleman who had ever lived in the colony, as I have been well known to them all, since 1803 in particular.

Recom-  
mended for  
Surveyor-  
General.

I am, &c.,

JAMES MEEHAN.

Please favour me with a line. Address to Mr. James Meehan, Acting Surveyor-General, Sydney, N. S. Wales, and also any particular place I should address to you.

#### THE ADMIRALTY TO THE TRANSPORT BOARD.

Gentlemen, Admiralty Office, 29th October, 1810.

29 Oct.

Captain Flinders having represented to my Lords Commissioners of the Admiralty that he has arrived in London from the Isle of France, where he was detained under very peculiar circumstances, I am commanded by their Lordships to signify their direction to you to lose no time in communicating with the present Minister of the French Marine on this service.

Flinders's  
captivity.

You will recal to his recollection that Captain Flinders, an officer employed in a voyage of discovery, had the misfortune to be wrecked in His Majesty's armed ship Porpoise, on the 17th August, 1803, on a coral reef between New Caledonia and New South Wales; that he afterwards embarked on board the schooner Cumberland, and arrived at the Isle of France in December following, trusting that the character of the expedition he was employed in, as well as the misfortunes he had suffered, would have ensured the respect and hospitality of the Government of that island.

Wreck of the  
Porpoise.

In these expectations he was disappointed; and a man of science, proceeding on a mission interesting to all mankind was, in the

A prisoner  
of war.

1810	colony of a civilised nation to which he had escaped after shipwreck, not only made prisoner of war, but treated with circumstances of unusual hardship.
29 Oct.	
Order for Flinders's release	The French Minister of Marine will not have forgotten that in March, 1806, he was authorised by his Government (in conformity with the opinion of the Council of State) to direct General De Caen not only to set Captain Flinders at liberty, but to return to him the schooner in which he had arrived in the Isle of France.
sent to De Caen.	This order, of which a copy is subjoined,* was transmitted to General De Caen; but the French Government will learn with surprize that this officer, while he acknowledged to have received its order, as appears by the chief of the staff's letter to Captain Flinders (of which a copy is also annexed) has persisted for years in disobeying it. Neither the interesting circumstances of the case, the entreaties of Captain Flinders, nor the representations of the British commanders, had any effect on General De Caen; he treated them with the same indifference that he did the opinion of the French Council of State and the positive order of the French Minister of Marine; and, contrary to the law of nations, and to his duty, he continued to keep Captain Flinders (under circumstances of detention sometimes severe, and always capricious and insulting) till June, 1810, when he was pleased to release him. But even in this release, General De Caen's conduct was no less extraordinary than in the previous detention, for instead of setting him at liberty, and restoring his vessel, as M. Decrès's order (given as it is stated "par un pur sentiment de générosité") required, he extorted from Captain Flinders a parole or engagement† (a copy of which document is also subjoined) by which he has engaged "not to act in any service which might be considered as directly or indirectly hostile to France or its allies during the present war." This parole excludes the possibility of even an exchange being effected for him; and thus the way in which General De Caen executed an order given "par un pur sentiment de générosité," was by depriving Captain Flinders for an indefinite time of the exercise, honors, and emoluments of the distinguished profession to which he belongs.
The order disregarded.	
Liberated on parole.	To this unprecedented injustice, General De Caen added that of refusing to restore either the vessel which the Minister of Marine generously ordered to be restored, or the last and most important volume of his journal, the register of his voyage, his proceedings, and his observations, of which he had been originally plundered.
Vessel and papers detained.	Of all these circumstances it is impossible to doubt that the French Government has been kept in ignorance. Its order of the 21st March does justice to its sentiments, and it will not fail to lament, at least, General De Caen's disobedience of that order,
Sentiments of French Government.	

\* This correspondence was published by Flinders in his *Voyage to Terra Australis*.

† See vol. ii, p. 482 of Flinders's *Voyage to Terra Australis*.

and to hasten to extend to Captain Flinders at this day the **benefits** which it was intended he should have four years ago **derived** under it, by releasing him from the parole so unjustly **extorted** from him, by directing his vessel, or an equivalent, to be **returned** to him, and by taking measures for recovering and **restoring** to him the journal of his voyage. 1810  
29 Oct.

These measures will not indeed compensate Captain Flinders Justice for  
Flinders. for the hardships he has suffered, the scientific opportunities which he has lost, nor the professional advantages of which his captivity has deprived him; but they are all the French Government can now do towards redressing the injuries he has received; and my Lords are willing to believe that it will seize with eagerness this opportunity of doing him this tardy justice, and of making him this slight reparation for the violence and disobedience of its agent.

I am, &c.,

J. W. CROKER.

UNDER-SECRETARY PEEL TO WILLIAM MERRY.

Sir,

Downing-street, 30th October, 1810.

30 Oct.

Captain Bligh, late Gov'r of the colony of New South Wales, having represented to Lord Liverpool that the persons named in the inclosed list have been brought from thence to be examined as evidence in the proceedings about to be instituted respecting the late mutiny, and that it was necessary they should be subsisted, I have His Lordship's directions to request you will move the Secretary at War to give orders that such amount of subsistence as may appear reasonable to His Lordship may be issued to them respectively. Bligh's  
witnesses.

I am, &c.,

ROBERT PEEL.

*Memorandum.*

**LIST** of Persons who have come to England with Commodore Bligh from New So'h Wales as evidence for the Crown. Settlers and  
others.

Mr. MARTIN MASON,	}	Settlers.
GEO. SUTTER,		
FRANCIS OAKES,		
NICHOLAS DIVINE, late Principal Superintendent.		
JAS. WILLIAMSON, late Deputy-Commissary.		
ROBT. CAMPBELL, Merchant.*		

LIEUTENANT-COLONEL FARQUHARSON TO GENERAL FITZROY.

At Messrs. Collyer's,

Dear Sir,

London, 2nd November, 1810.

2 Nov.

Although I have been embarked on board the ship Albion since the 20th of September, by permission of the Commander-in-Chief, the convoy, with which she is to proceed for St. Kitts, has

\* The civil officers who were taken Home as evidences for Bligh (Gore, Fulton, and Palmer) were allowed to draw their full salaries.

1810 been delayed from time to time till now, but seems in such readiness at this period as to be able to proceed on the 12th of this month for its destination.

2 Nov.

I am entirely at a loss how to apologize for the liberty I am about to take in asking of you a very singular favor, but which I am informed is only to be obtained by the application of my Colonel.

A successor  
to Collins.

Perceiving by the newspapers that the government of Van Diemen's Land is vacant by the death of the late Governor, Colonel Collins, a captain of Marines, and understanding that it is by no means a desirable situation, and that few officers would accept of it,\* I have not the smallest doubt, was you pleased to recommend me for the same, but I should succeed thereto forthwith.

I have many apologies to offer for being thus troublesome, but I hope you will not think me presuming when I aspire at the situation specified. With the highest respect,

I have, &c.,

J. A. FARQUHARSON, L't-Col'l,

Major 25th Reg't.

#### GOVERNMENT AND GENERAL ORDER.

3 Nov.

Head-quarters, Sydney, Saturday, 3rd November, 1810.

Ticket-of-  
leave men to  
attend  
church.

ALL those Government men residing at Sydney who have obtained the indulgence of tickets-of-leave to work for themselves are, in future, to be mustered every Sunday morning, along with the rest of the prisoners, and to be marched with them to church.

The chief superintendant is to make out a roll of all the prisoners living in Sydney who have tickets-of-leave, in order to their being regularly mustered by it on Sundays; and any one absenting himself from muster, without permission being regularly obtained for so doing, will be deprived of his ticket-of-leave, and recalled to Government labour.

#### PROCLAMATION.

3rd November, 1810.

The Civil  
Court.

WHEREAS the due distribution of justice between man and man is one of the greatest objects and principal bonds of society; and whereas the meetings of the Courts of Civil Judicature at stated, fixed, and limited periods of time throughout the year would greatly promote the advancement thereof: It is hereby ordered, declared, and made known by His Excellency the Governor and Commander-in-Chief, that, from and after the date hereof, a Court of Civil Judicature will duly and regularly assemble at the town

\* In addition to Major Farquharson, Major Davey, Captain John Bowen (the founder of Hobart), and Captain Sterling applied for the vacant Lieutenant-Governorship. It was conferred upon Major (afterwards Colonel) Davey, who had been a lieutenant of marines on Phillip's First Fleet transports, and had served in the colony with Major Ross.

of Sydney, in this territory, in the Court-house there situate, for the adjudication of all such personal pleas, matters, and controversies as may be brought before it four times in each and every year, on the first Monday which shall happen in each and every month of January, April, July, and October, and in every such succeeding month, and at and upon no other or different times or seasons on any account whatsoever. 1810  
3 Nov.  
Quarter  
sessions.

And whereas manifest inconveniences and divers hindrances and interruptions of the business of the Courts have hitherto been caused by the indefinite and protracted sittings of the Courts of Civil Judicature, and by the neglect, delays, and non-attendance of the different suitors of the same Courts, for the future prevention of the same it is hereby further ordered and declared, by and with the authority aforesaid, that the future meetings of the Courts of Civil Judicature shall not be held, nor continue, for any longer term than the time of thirty days from the days of the commencement of such meetings respectively, of which such day shall be inclusive and numbered as one, and notwithstanding the intervention and occurrence of days in which it is not usual for Courts of Justice to transact business. Protracted  
sittings.

## HOSPITAL CONTRACT.\*

6th November, 1810.

6 Nov.

THIS indenture, made the sixth day of November, in the year of our Lord one thousand eight hundred and ten, between William Broughton, Esquire, Acting Commissary of His Majesty's territory called New South Wales (for and on account of Government) of the one part, and Garnham Blaxcell, Alexander Riley, and D'Arcy Wentworth, of Sydney, Esquires, of the other part. Whereas His Excellency the Governor of this territory hath deemed it expedient that a general hospital should be erected in the town of Sydney, in conformity to a plan and dimensions hereunto annexed, marked No. one; and the said Garnham Blaxcell, Alexander Riley, and D'Arcy Wentworth, being desirous of contracting for the erecting and perfecting the same, within the period hereinafter particularly limited and expressed, have proposed to His Excellency the Governor as aforesaid, to undertake to erect, finish, and complete such general hospital and appropriate buildings, and wall round the same, for and in consideration of the several remunerations and allowances hereinafter mentioned and expressed (and part whereof hath already been received by them, the said contracting parties, and which they hereby acknowledge), to which His Excellency the Governor, as aforesaid, hath conceded and agreed. Now these presents witness that they, the said Garnham Blaxcell, Alexander Riley, and D'Arcy Wentworth, for Parties to  
contract.  
  
Plan of  
hospital.  
  
Contractors'  
offer.  
  
Accepted by  
Governor.

\* See Macquarie's despatch of 18th October, 1811, post, p. 605.

1810	the considerations hereinafter mentioned, do for themselves, and for their heirs, executors, and administrators, severally covenant, contract, engage and agree to and with the said William Broughton, Esquire, his successor or successors in office, to erect and complete, or cause to be erected and completed, in an effectual, good, and workmanlike manner, a general hospital in the town of Sydney aforesaid; and that the same shall be commenced and begun on or before the first day of May, now next ensuing, and be completed and finished according to the specified plan, dimensions, and statements annexed, marked No. one, and of materials to be found and provided by them, as hereinafter specified and set forth, on or before the first of May, which will be in the year of our Lord one thousand eight hundred and fourteen; and the contracting parties herein and hereby promise, undertake, and engage that the length of the main building of the said general hospital shall be two hundred and eighty-seven feet and one half foot; the breadth thereof, twenty-eight feet; the height, thirty-eight feet; the thickness of the walls, two feet; the partitions, eighteen inches; the window openings, four feet by eight; outside doors, six feet by eight, with fanlights over them; that there shall be a viranda round each story of the building ten feet wide; the pillars of the lower story to be of stone, and the upper story of wood, and the bottom flagged with smooth stone, and the upper part boarded and lined with cedar; that there shall be cut stone from the surface to the base; that there shall be a wall or terrace under the viranda five feet high, to admit to the entrances, a flight of steps of cut stone, proportionately ten feet in length; that the chimney pieces and chimnies shall be of stone, and the whole of the outside walls cut ashler, with rustic coins; that the heads and cells to the windows shall be uniform with the coins; the partition walls of rough stone to be thirty-eight feet high, and the inside of the walls of the building plaster'd throughout. The barracks for the Principal Surgeon and Assistant Surgeons to be completed with regard to masons' work in like manner as the main building. The walls thereof to be thirty-six feet high, and to have cellars with kitchens separate from the buildings, according to the plan; that there shall be a kitchen to the hospital built with the like materials as the other buildings, its length fifty-three feet, its width twenty-two feet, and height seventy feet, the floor to be flagged, and a sleeping room to be erected over it for domestics; that there shall be stables and coach-houses erected according to the plan; that there shall be a wall with coping of ashler stone, eight feet high with pillars of stone, and necessary gates to surround the grounds; that there shall be a separate sewer to be carried round each of the main buildings, the kitchens and necessaries leading from thence into main sewers to the rear of the ground; that there shall be a flagged pathway made from the hospital to
6 Nov.	
The covenants.	
To be completed in three years.	
Dimensions.	
Materials.	The barracks for the Principal Surgeon and Assistant Surgeons to be completed with regard to masons' work in like manner as the main building. The walls thereof to be thirty-six feet high, and to have cellars with kitchens separate from the buildings, according to the plan; that there shall be a kitchen to the hospital built with the like materials as the other buildings, its length fifty-three feet, its width twenty-two feet, and height seventy feet, the floor to be flagged, and a sleeping room to be erected over it for domestics; that there shall be stables and coach-houses erected according to the plan; that there shall be a wall with coping of ashler stone, eight feet high with pillars of stone, and necessary gates to surround the grounds; that there shall be a separate sewer to be carried round each of the main buildings, the kitchens and necessaries leading from thence into main sewers to the rear of the ground; that there shall be a flagged pathway made from the hospital to
Construction.	
Surgeon's barracks.	
Kitchen.	
Stables, coach-houses, and enclosing walls.	

the kitchen and necessities, intended for the patients to prevent them getting wet feet, and a flagged pavement made round each of the buildings two feet wide from the wall; that a well shall be sunk in the most convenient spot for the use of the hospital. And it is mutually understood, declared, and agreed that the carpenters' and joiners' work necessarily comprise framed roofs to the buildings, with rafters, plates, and so forth, in due proportion to the magnitude and extent of the span, the flooring joists twelve inches deep, three inches thick, the whole buildings sounding-boarded and shingled, the staircases of mahogany with rails and square bannisters, the doors to be pannelled and of cedar, the sashes double hung, and the several and respective rooms finished in a substantial, neat, and appropriate manner, correspondent with the nature and intention of the edifice, and the whole conformable to the plan, dimensions, and statements contained in certain papers hereunto annexed, marked No. one, and subscribed by the contracting parties, and by which they undertake and engage invariably to abide. In consideration whereof the said William Broughton, by and with the approbation and consent of His Excellency the Governor as aforesaid, hereby, for himself, his successor or successors in office, covenants, promises, and engages to and with the said Garnham Blaxcell, Alexander Riley, and D'Arcy Wentworth, Esquires, contractors as aforesaid, and with their heirs, executors, and administrators, that they, the said contractors, shall be allowed and have permission to purchase or to import into this colony the quantity of forty-five thousand gallons of spirits\* (of which quantity they have already received four thousand gallons in part of the said forty-five thousand gallons), and the residuary, forty-one thousand gallons they are to have and receive at such times as are hereinafter mentioned, at the same prices as are paid by Government for the proportion Government may engage on their account. And that the said contractors shall be allowed six months from the day of such spirits being landed for the payment of the regular duty of three shillings per gallon thereon, as well as the same period of time for the payment of the like duty of three shillings per gallon on the said four thousand gallons already received from the day of their receiving the same. And further, that the said contractors shall be allowed and have the use of twenty draught bullocks from the Government herds, which the said contractors are to return to Government at the completion of the said buildings—that is to say, on the first day of May, 1814, as aforesaid—

1810

6 Nov.

A well.

Woodwork.

General clause.

Terms of payment.

45,000 gallons of spirits.

Payment of duty.

Twenty oxen.

\* In Lang's History, 1st edition, published in 1834, and 2nd edition, published in 1837, it is stated that the contractors received 60,000 gallons, and that the term was extended to three years and a half. In the 3rd edition, published in 1852, he states that the terms of the contract were the right of retailing 15,000 gallons of spirits annually for four years. It is true that the time within which the contract was to be completed was extended from May, 1814, to October, 1814; and probably it was in this way that the quantity of spirits they were allowed to retail was increased. (According to the Government and General Order of 10th March, 1811, the price of spirits was 13s. per gallon, including duties.)

1810	or make good any loss or deficiency by reason of the death or any accident happening to the said bullocks within or during that period ; and further, that on the arrival of male convicts in this colony from England the said contractors shall be allowed to take off the store, and maintain and cloath, twenty male convicts free of any expence to the Crown until the said first of May, 1814, being the period limited for finishing and compleating the said general hospital and buildings as aforesaid. And that the said
6 Nov.	contractors shall be permitted during the erection and progress of the said buildings, and the existence of the contract, either to import from India, or to purchase in this colony, the said residuary quantity of forty-five thousand gallons of spirits (in addition to the four thousand gallons which they have received as aforesaid), the duties on which are to be paid at the period of six months from the landing of the same as aforesaid. And that
Twenty convicts.	the said contractors shall be at liberty and allowed to vend and dispose of such spirits to the best advantage from time to time as they may deem necessary or expedient for their interest and benefit. And further, that the said contracting parties shall receive from Government herds eighty oxen fit for slaughter, weighing not less than four hundred and fifty pounds each in proportions at the following stated periods of time, namely, thirty on the first day of May, 1811, thirty on the first day of May, 1812, and twenty on the first day of May, 1813. And in the event of the arrival of sixty-seven thousand gallons of spirits, which are expected to be imported into this colony by permission, the said contracting parties shall be at liberty to purchase a quantity not less than twenty thousand gallons thereof in part of the said residue of forty-one thousand gallons, provided that those persons who have received permission to import that quantity chuse to sell it to them ; but it is to be understood that they are not to be compelled or compellable so to do, nor is this contract intended to interfere with or apply to such quantities of spirits as certain persons in this colony have obtained permission from His Excellency to import for their own use and benefit respectively, according to the schedule hereunto annexed, marked No. two.* And His Excellency the Governor as aforesaid promises that during the existence of this contract, and the progress of the buildings to which it refers (save and except as hereinafter mentioned as to period thereof), His Excellency will grant no further permission for the importation of spirits other than such quantities as the said contracting parties may import in part of the said residuary quantity of forty-one thousand gallons ; excepting only what Government may deem it necessary to import for their own use and occasions, and without prejudice or reference to the importation of any quantity of spirits which may be brought into this country by promiscuous ships touching at or arriving in this port, in which event, however, the
Importation of spirits.	
Eighty beeves.	
A shipment of spirits.	
Monopoly of spirits.	

\* Not available.

contracting parties are to have the privilege of purchasing therefrom, at the price paid by Government, such quantity of spirits in part of the said residuary quantity of forty-one thousand gallons as may remain after the exigencies or occasions of Government are supplied, and after such proportions thereof are granted to the officers, civil and military, to the licensed publicans, the inhabitants and free settlers, as per schedule annexed, marked No. two, as His Excellency may deem proper to allow them. Provided always, and it is mutually understood and agreed, that as the term or period for finishing and compleating the general hospital and buildings hath been extended at the request of the said contracting parties to six months beyond the term or period originally proposed by them, namely, to the first day of May, one thousand eight hundred and fourteen, that His Excellency the Governor as aforesaid reserves to himself and successor or successors in the Government full power and privilege to grant permission to such persons as he may think proper to import spirits into this colony in any quantity from and after the thirty-first day of December, one thousand eight hundred and thirteen. And lastly, for the true performance of the several matters and things in these presents contained on the part of the said contracting parties, according to the true, fair, and equitable meaning and construction thereof, they, the said Garnham Blaxcell, Alexander Riley, and D'Arcy Wentworth, Esquires, for themselves, their heirs, executors, and administrators, bind themselves unto the said William Broughton, his successor or successors in office, in the penal sum of ten thousand pounds sterling, to be forfeited by the said contracting parties and levied by warrant of execution against their goods, chattels, estates, and effects, in case default is made on their parts in the several matters and things in these presents contained and set forth, or any of them, by which the tenor or obligation of this contract is departed from or violated, without the right of appeal, or assigning, or attempting to assign any error or cause or causes of error in the premises.

Extension of  
term.

A penalty  
bond.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first herein written.

WILLIAM BROUGHTON,

Act'g-Commissary.

G. BLAXCELL.

ALEX'R RILEY.

D. WENTWORTH.

JOHN MACARTHUR TO HIS WIFE.

My beloved Wife, London, 11th November, 1810.

11 Nov.

The unexpected detention of the Providence at Cork happily affords me an opportunity of acknowledging the receipt of your several letters and their enclosures by Colonel Foveaux and

Letters from  
Sydney.

1810  
11 Nov. Mr. Oxley, but I am in too much bustle to write at much length. Is it necessary I should say how happy your and the dear girl's letters have made me. It cannot, for an affection like mine must have displayed itself in so many unequivocal substantive acts that professions would be absurd. The moment I heard of the arrival of the ships I hastened to Portsmouth and had the pleasure to find Oxley and Porteous perfectly well, and to hear from them the interesting event that had taken place in your little society before their departure from amongst you. I returned to town yesterday, bringing under my escort Mrs. Paterson, who appears to be grateful for this mark of attention. You know I sometimes like to return disobliging acts this way. She is in good health and excellent spirits; there can be little reason to doubt her recovering from Government an allowance, or a sum equivalent to the value of the old Colonel's commission. You will not be surprised at his death. God pardon his errors and the ills he suffered himself to be made instrumental in breaking upon my head. I feel confident, my dearest Elizabeth, that you act with your accustomed prudence, and preserve a guarded silence on the measures of your new Governor. Be patient, and all will be well, for I have found a powerful body of friends in this country, who are not only able but willing to give me their support to my endeavours to obtain satisfaction for the past and security for the future. Depend upon it, the colony will soon undergo a radical reform. I think I shall be obliged to procure a seat in Parliament. The expense will be great, but the prospect of benefit from it is still greater. We must, therefore, be very economical in every other expenditure, and you must exert yourself to remit me all you can. Do not sell any estate, nor any part of the breeding stock that it would be desirable to keep. Send Home by every opportunity what wool you can, and let the most watchful attention be paid to improve the flocks upon the plan I recommended to you. Hannibal will set off for you in about three weeks, and by him I shall send supplies of every necessary you can need. I have every reason to expect it will be in my power to get Oxley promoted and soon start out again. Porteous appears equally anxious to return, but I have as yet to know the particular cause of attraction. I have written to Hannibal to day to go over to your mother. She is perfectly well. I have ordered him to pay her twenty pounds. In a few days I commence my operations against Mr. Bligh. My damages will be laid at twenty thousand pounds. Unhappy miscreant, his name is never mentioned in this country but with execration. The Navy, as you would naturally expect, are very clamorous for his punishment. Johnston is in good health and excellent spirits. When Foveaux arrived I caused him to be told that no explanation could ever alter my opinion of certain transactions in New South Wales; therefore, it would be better not to make the attempt; but that I

Oxley and Porteous.

Mrs. Paterson.

Friends in England.

Remittances.

Macarthur's flocks.

An action against Bligh.

Foveaux and Macarthur.

considered myself embarked in a common cause with him, and on that account should subdue all personal resentments. We soon after met, and with great apparent cordiality, and, I think, with real satisfaction on his part. . . . Foveaux . . . appeared as much pleased as astonished. When shall I be known? 1810  
11 Nov.

Edward sailed from Gibralta to join his regiment in Sicily about the 12th of August, and there have been no arrivals from Sicily since he got there. I expect to hear from him every day. He is a noble boy. John was well on the 2nd. James and William were well yesterday. God Almighty bless and protect my beloved wife, prays her ever affectionate husband. Macarthur's sons.

JOHN MACARTHUR.

Walter Davidson is in Scotland, but will most likely go out with Hannibal. Be careful of the Spanish sheep, and let no pains be spared in culling the flocks. You have never sent me a return of stock since I left home. . . . God bless and preserve you. I can say nothing more on money subjects than my former letters contain. Take no excuses. Sloan will take up his bill for £150, so that you need not apply to Lord for that. Send me what bird-skins and seeds you can collect; not gaudy common birds, but plain birds from the mountains. Private messages.

CAPTAIN FLINDERS TO SECRETARY CROKER.

Sir, London, 15th November, 1810. 15 Nov.

I have to acknowledge the receipt of your letters of the 10th and 13th instant,\* the latter of which expresses "that their Lordships have given an order to the Navy Board for paying me my personal pay from the time my pay ceased, as commander of the Investigator, up to the 25th of October, 1810." I had hoped, sir, that from the very peculiar hardships and injustice with which I had to struggle, and the extraordinary expenses to which I had been put during this period, that their Lordships would have been pleased to include the compensation pay for the servants allowed me in the Investigator in their order to the Navy Board. In further explanation of my request to be allowed this pay, I beg leave to submit to you the following considerations, and beg you will lay them before their Lordships:— Flinders's pay.  
Compensation pay.

1st. During the time I was a passenger on board the Porpoise, I was as fully employed in constructing the charts and preparing the accounts of my discoveries, ready to be laid before their Lordships on my arrival in England, as I could have been in any actual service. Constructing charts.

2nd. On the shipwreck of the Porpoise, with the Investigator's passengers on board, I conceived it my duty, as senior officer on Wreck Reef Bank, and the only one qualified to act with authority over the crew of the Cato, a ship wrecked at the same time, to take the command of the whole; and the steps I took to preserve On Wreck Reef Bank.

\* These letters are not available.

1810  
15 Nov.

Flinders's  
voyage in  
the ship's  
boat.

discipline amongst this mixed assembly, and for the preservation of His Majesty's stores, met with the thanks of Captain King, the Governor at Port Jackson, and I believe of the Court which investigated the loss of the Porpoise. When it was judged, in a council of the officers, that the best mode of obtaining relief was to send a boat back to Port Jackson, and the general voice pointed me out as the officer in whose execution of the dangerous task there was the most confidence, I did not hesitate to undertake a voyage of 740 miles in a six-oared cutter, at an unfavourable season, for the purpose of saving so many lives and stores to His Majesty; and I succeeded in the undertaking, for in six weeks I conducted to the reef the ship *Rolla* and two Colonial schooners, and every person, with the greater part of the stores, were embarked in them. In this conduct, I trust their Lordships will see much active and real service performed at the most imminent risk of my life.

Torres  
Strait.

3rd. When afterwards coming Home in the *Cumberland*, a schooner of 29 tons, I added much to my former investigation of the dangerous strait between New Holland and New Guinea, and did everything for the advancement of geography and navigation that the nature of my orders would permit; so that my service in her was really as active and more dangerous than it would have been even in the *Investigator*.

Six years  
and a half a  
prisoner.

4th. You are acquainted, sir, with my unjust detention of six and a half years in the Isle of France. During this long and painful period, I never ceased to forward the objects of my voyage, by constructing charts, combining my investigations, where I had not seen everything, with preceding authorities, writing explanatory memoirs upon these constructions and combinations, making out a fair copy of my log-books, including the astronomical observations and remarks of every kind, with a chronological account of all the bearings from which the charts were constructed. These charts, books, and papers, with some others, were transmitted as I found opportunities, and are now lodged in the Hydrographical Office. They may be referred to, and I think, sir, that their Lordships will judge that the labour of one person, a prisoner unjustly detained, and in frequent ill-health, would be required for years to complete what was done by me in the Isle of France. I was therefore as actively employed, and as usefully to the service, during these six and a half years, as the nature of my situation could possibly allow; and that I was not more so I considered to be amongst the greatest of my misfortunes.

Papers and  
charts.

Living  
expenses at  
the Isle of  
France.

5th. You will have the goodness, sir, to point out to their Lordships that during the greater part of the time for which my compensation pay is cut off I was in an island where the common expenses of living are at least the double of what they are in England; that I was put to much expense there for books, drawing paper, and other materials for making out the documents now

lodged in the Hydrographical Office, all of which were sent Home at my expense, where any was incurred. In one case I gave a hundred dollars to carry a prisoner to England, principally on account of books and charts which he took charge of and delivered. My own peculiar situation, besides, as commander of an expedition on discovery, standing up for the honour of his service and nation, and rendered more conspicuous from being the mark at which tyranny and injustice more particularly directed their arrows, required more than a common disbursement. During this time I knew that my former advantages as purser of the Investigator had ceased; but I did by no means foresee that the compensation pay, to which I looked for aiding my family, would have been cut off during this period.

1810  
15 Nov.

6th. Although I came from the I. of France to the Cape of G. Hope, and from thence to England in His Maj's vessels, yet the expenses of the voyage, and the being obliged to wait seven weeks at the Cape for a passage, have not failed to be the double of my personal and compensation pay taken together, for the time this voyage lasted; but for these extra expenses, any more than for numberless others, I have not preferred any claim or request for reimbursement.

Expenses on  
the voyage.

These, sir, with the circumstance of my having been cut off from every advantage of prize during the last ten years, by the nature of my voyage itself, are the leading considerations upon which I found my prayer to be allowed my compensation pay up to 25th Oct., 1810. If I have been obliged to enter into some details of my little pecuniary concerns, I trust you will excuse it; and that when their Lordships shall have weighed the real service I did perform in contributing to save a hundred of His Maj's subjects and many stores at Wreck Reef, my hazardous but successful investigations made in the Cumberland, the great expenses I was put to in the I. of France, and my zeal in forwarding the objects of the voyage through every discouragement, that they will think me in justice entitled to the compensation pay as much during this time as whilst in the Investigator.

Flinders's  
claims to  
considera-  
tion.

I fear, sir, that I cannot bring forward any precedent of the compensation being allowed to the commander after the loss or condemnation of his ship; but neither will any precedent be found where an officer employed in the service of science, and bearing a passport from an enemy's Government, has been imprisoned, after shipwreck, by that same Government, and detained so many years, contrary to every principle of national faith, of justice, and humanity; and this, I hope, will have its due weight with their Lordships.\*

An excep-  
tional case.

I have, &c.,

MATT'W FLINDERS.

\* Flinders's request was granted to this extent, that the Admiralty allowed him £500 in lieu of compensation pay

1810

H. TORRENS TO LIEUTENANT-COLONEL BUNBURY.

15 Nov.

Sir,

Horse Guards, 15th November, 1810.

An invalid  
company.

I have received the Commander-in-Chief's commands to transmit the enclosed extract of a letter from Colonel Macquarie, of the 73rd Regiment, stating that a number of the men of the 102nd Foot who have served twenty years and upwards had volunteered to remain in New South Wales, which you will be pleased to lay before Lord Liverpool, with Sir David Dundas's recommendation that a company of invalids for service in that colony (consisting of the numbers mentioned in the margin)\* should be attached to the 1 Battalion of the 73rd Regiment, or to any other corps that may be stationed there hereafter.

I have, &amp;c.,

H. TORRENS.

[Enclosure.]

EXTRACT of a letter from Lieutenant-Colonel Macquarie to General Sir David Dundas, K.B., dated Sydney, New South Wales, 1st May, 1810.

Old soldiers  
from the  
102nd.

IN a conversation I had with Lieutenant-Colonel Gordon, the Military Secretary, a few days previous to my leaving London, he suggested to me a plan of forming such old soldiers of the 102nd Regiment who might have served sufficiently long to entitle them to their discharges and high pensions on their return to England, but who might prefer remaining in this country, into an invalid or veteran company, for the service of this colony, on the ground that it would be a considerable saving to Government to pay them as invalids or veterans in this country, instead of giving them high pensions on their being discharged in England, adding that he had no doubt this plan would meet with your Excellency's concurrence and the approbation of His Majesty's Ministers. I regret that I had not any written instructions on this head; but coinciding entirely in opinion with Colonel Gordon as to the expediency and policy of the measure, and considering the great saving that will result from it to Government, I have deemed it advisable to take upon myself the responsibility of adopting it, trusting, as the motive is good, that my conduct in this instance will meet with your Excellency's approbation and that of His Majesty's Ministers. I therefore issued a General Order, notifying that this measure would be adopted in case a sufficient number of old soldiers turned out from the 102nd Regiment to form an invalid company for the service of the colony, and providing they had served 20 years or upwards, Government being willing to indulge such old soldiers of this description with permission to remain in the colony with their families as might be so inclined. I had determined, in case a sufficient number of men

Macquarie  
acts  
promptly.A General  
Order  
issued.

\* 1 captain, 2 lieutenants, 1 ensign, 5 serjeants, 2 drummers, 5 corporals, 96 privates.

turned out, to make the establishment of the invalid company 5 serjeants, 5 corporals, 2 drummers, and 95 privates. The poor old soldiers, many of whom had been 20 years in this colony, were quite overjoyed at being permitted to remain in it, especially those who had formed connections with convict women, and had families by them. Accordingly, no less than 5 serjeants, 7 corporals, 1 drummer, and 97 privates turned out as volunteers from the 102nd Regiment for the invalid company, most of whom had been considerably upwards of 20 years in the service, but who were still very fit for garrison duty. A few of those who turned out had not served twenty years, but as they had large families, and were extremely anxious on that account to remain in the colony, I did not make any objection to their being enrolled in the invalid company. This company was accordingly inspected and formed on the 25th of March last, having, however, 4 rank and file over and above the establishment I had fixed for it, but which I thought was of no consequence, and therefore authorized them to be returned and mustered on the strength of it.

1810

15 Nov.

110 rank and file.

The company formed

## EX-GOVERNOR BLIGH TO MANNERS SUTTON.\*

Sir, Durham Place, Lambeth, 16th November, 1810. 16 Nov.

In compliance with your request to be furnished with the names of those persons now in the country against whom (as being most deeply implicated) proceedings should in the first instance be instituted for their conduct against me in New South Wales, I have to name—(First) Captain Anthony Fenn Kemp, Captain Jno. Brabyn, Captain Wm. Moore, Lieutenant Thos. Laycock, Lieutenant and Adjutant Wm. Minchin, Lieutenant Wm. Lawson, all of the New South Wales Corps, now the 102nd Regiment, and were the officers who composed the Court on the 25th and 26th January, 1808, and with Jno. McArthur were the immediate cause of the insurrection. (Secondly) Major George Johnston, now Lieut.-Colnl. Johnston, commanding the then New South Wales Corps, who seized my person, assisted by the above six officers; Surgeon Jno. Harris, of that corps; Lieut. Cadwalladar Draffin; Ensign Archibald Bell, officer of the guard; and Serjeant-Major Whittle; Captain Abbott, who commanded at Parramatta and was of the committee who seized my papers and great seal of the colony. (Thirdly) John Blaxland, settler; Edward McArthur, settler; Hannibal McArthur, settler; Thomas Jamison, Colonial Surgeon; and Charles Grimes, Surveyor of Lands. (Fourthly) Lieut.-Coll. Foveaux, who superceded Major Johnston, disobeyed my orders, and continued my confinement.†

Bligh to Manners Sutton.

Officers implicated in N.S.W. mutiny.

Major Johnston.

Settlers.

I am, &amp;c.,

W<sup>M</sup> BLIGH.

\* The Judge-Advocate General.

† Strangely enough, the name of John Macarthur is omitted from the list.

1810

16 Nov.

An aide-de-camp.

H. TORRENS TO LIEUTENANT COLONEL BUNBURY.  
 Sir, Horse Guards, 16th November, 1810.

I have the honor, by the Commander-in-Chief's command, to refer to you, extract of a letter from Colonel Macquarie requesting to be allowed to bear an Aide-de-Camp and Brigade Major upon his establishment in New South Wales; and I am to desire you will be pleased to submit the same to the favourable consideration of the Earl of Liverpool, with Sir David Dundas's strong recommendation that Colonel Macquarie may have the assistance of the two officers required in the performance of his combined civil and military duties, suggesting to His Lordship, at the same time, that the term of Town Major would be more appropriate to the latter situation.

I have, &amp;c.,

H. TORRENS.

[Enclosure.]

EXTRACT of a letter from Lieutenant Colonel Macquarie to General Sir David Dundas, K.B., dated Sydney, New South Wales, 1st May, 1810.

Captains  
Antill and  
Cleaveland.

I HAVE now the honor to report to your Excellency that I have appointed Captain Henry Colden Antill, of the 73rd Regiment, to be my Aid-de-Camp, and Captain Thomas Sadleir Cleaveland of the same corps to act as Major of Brigade to the forces serving in this territory, untill His Majesty's pleasure shall be known; and I most respectfully submit to your Excellency that both those appointments may be confirmed.

An aide-de-camp  
essential.

That of Aid-de-Camp, being most essentially necessary, and, indeed, indispensable to enable me to carry on my combined military and civil duties, indulge a sanguine hope it will not be objected to on the ground of my not being entitled to one, as a Colonel on the Staff; but when it is considered that besides being a Colonel on the Staff, I am also Commander of the forces in this territory, I trust it will appear to your Excellency that the appointment in question is indispensibly necessary, and that you will accordingly be kindly pleased to approve thereof.

LIEUTENANT-COLONEL JOHNSTON TO THE EARL OF LIVERPOOL.

My Lord, 40, Leicester-square, 16th November, 1810.

Johnston  
waiting for  
an investigation.

Twelve months have elapsed since I had the honor of reporting my arrival in this country to your Lordship, and nearly one month since the arrival of Captain Bligh, the late Governor of New South Wales. I, therefore, trust it will not appear to your Lordship that I am actuated by impatience or any improper motive in now earnestly soliciting the favor of information from your Lordship whether I am still to consider myself so unfortunate as to remain under the displeasure of Government (as I had the

inexpressible mortification to see declared in Governor Macquarie's proclamation), or whether the evidence transmitted to your Lordship's immediate predecessor, and the subsequent approval of my conduct, with the continuance of the arrest of Governor Bligh by L't-Col'l Foveaux and the late Colonel Paterson (both of them my superior officers), has convinced your Lordship that I had no alternative but the measure I adopted to preserve His Majesty's Government from the dishonor of a popular insurrection, and his colony from all the horrors which would inevitably have resulted from the success or failure of such an attempt.

1810

18 Nov.

From your Lordship's enlightened mind I feel secure of justice, and perfectly confident that in forming your decision your Lordship will view and, without prejudice, appreciate the difficulty and perplexity of the situation in which I was placed by the extraordinary conduct of Governor Bligh.

Confidence  
in Lord  
Liverpool.

On the one hand, the Governor evincing a total disregard of the sacred functions of his office to administer justice in mercy, and, unmindful of the dignity of his gracious master whom he represented, violating private property, and forcibly seizing the houses and lands of the colonists without even a colourable pretext; arresting their persons without the sanction of law or equity; threatening the magistrates with vengeance if they presumed to acknowledge any law but his will; and either overawing or attempting to overawe the Supreme Court of Jurisdiction with an accusation of high treason, for no other reason than that they had declined to become servile instruments of his tyranny.

Charges  
against  
Bligh.

On the other hand, an enraged and indignant population urgently, almost clamorously, calling upon me for relief—civil officers and inhabitants, military officers and soldiers, all uniting with one voice in urging me to rescue them from the common oppressor and the wretched associates under whose advice he was known to act.\*

A clamorous  
multitude.

It has, I have been told, my Lord, been said it was my duty to have supported the Governor; but I feel assured your Lordship will think differently. I might have participated in his disgrace, but to have maintained his authority would have been a vain and fruitless attempt.

Not to trespass too much upon your Lordship's time, I will only beg leave to say that I am prepared, and certainly feel most anxious to be allowed, to exhibit proof of the high crimes and misdemeanors committed by Governor Bligh whilst he commanded in New South Wales. I am ready to produce incontestible evidence of his tyranny and oppression of the people he was sent to

Charges  
against  
Bligh.

\* It would appear from the evidence taken at the trial of Lieutenant-Colonel Johnston, that this account, except in so far as the military were concerned, is very much overdrawn.

1810: govern; of gross frauds and shameful robberies committed upon  
 16 Nov. the publick property entrusted to his care; and, lastly, I will  
 prove that he has been guilty of heretofore unheard of and disgraceful cowardice.\*

I have, &c.,

GEO. JOHNSTON,

B. Lt.-Col'l, 102nd Foot.

UNDER-SECRETARY PEEL TO LIEUTENANT-COLONEL JOHNSTON.

24 Nov.  
 Johnston  
 and Bligh.

Sir,

Downing-street, 24th November, 1810.

I am directed by the Earl of Liverpool to acknowledge the receipt of your letter of the 16th inst., and to acquaint you that His Lordship considers it unnecessary to deliver any opinion on your conduct, as all the correspondence which has taken place on the subject of those proceedings in New South Wales, to which your letter refers, has been transmitted to the Judge-Advocate General, and an opportunity will be hereafter afforded you of offering such evidence in your justification as you may think necessary.

I have, &c.,

ROBT PEEL.

MAJOR DAVEY† TO THE EARL OF LIVERPOOL.

28 Nov.

My Lord,

Cambridge, 28th November, 1810.

Major  
 Davey's  
 services.

I trust it will not be presumptuous in me to lay before your Lordship a statement of my services in the colony of New South Wales under the directions of the late Governor, now Admiral Phillip. It was, my Lord, in the year 1788 I first experienced the fatigues of that great and important enterprize of establishing the settlement of Port Jackson, with a variety of other hard services in that quarter, in which I have at various times laid out considerable sums in the cultivation of a small allotment of land granted to me by the Governor, and now unjustly occupied by the gentlemen of the 102nd Regiment—a melancholy reflection after so much laborious drudgery in opening a new ground, and clearing every obstruction for the knowledge and improvement of agriculture for ages yet unborn (also acquiring a complete knowledge of the native language, the custom, and manners of the inhabitation, the production of the soil in every branch of agriculture), to be thus deprived of the merit and expense laid out in the cultivation of that land. It is more than

\* It is doubtful whether the British Government would not have allowed the matter of Bligh's arrest to drop had not Johnston and Macarthur clamoured for an inquiry. Johnston does not appear to have grasped the fact that evidence which would be admissible had Bligh been on his trial was not so relevant or valuable when he (Johnston) was being tried.

† The appointment of Lieutenant-Governor was conferred on Major (afterwards Colonel) Davey. He arrived at Hobart Town on 4th February, 1813. Fenton (*History of Tasmania*, p. 40) says of him:—"He was a man of no capacity to govern. His free and easy manner betrayed a want of that wisdom and discretion which were especially needful at this important period." West's strictures were even more severe. He was succeeded by Colonel Sorell on 8th April, 1817.

melancholy. You, my Lord, are the executive source and ultimate resort of Colonial arrangements. Under your immediate directions the distribution of the Colonial offices is made to correspond with the resources, and to answer the exigencies of the State; and by your wisdom and experience the various branches of the service are rendered conducive to one system. To your praise, my Lord, be it said, no man in your exalted situation of life could have devoted his time and application to the ends of the great trust reposed in him with more zeal, more eagerness to do justice to merit, or with more perseverance in official business than you have done. This, my Lord, is not the language of flattery. It is the tribute of conviction, offered by an individual who never but once asked a professional favour for himself—and that was a second lieutenancy of marines—of the late Lord Sandwich through the mediation of the late Lord Harrowby, who was once my best friend. I enclose your Lordship one of his letters, which will show a family attachment of long standing.

1810

28 Nov.

Liverpool's  
administration.

Although, my Lord, I have no pretensions to your Lordship's notice or consideration, yet I trust, and hope, I shall not be found unworthy of your Lordship's high patronage when I presume, to make a voluntary tender of my services to supply the vacancy of Lieutenant-Governor Collins in the settlement of Hobart, in the colony of New South Wales. My Lord, I am thoroughly convinced the Marine Corps cannot produce an officer that will execute the various duties of that office (to be of service to community) than myself, (*sic*) having practice and experience for its groundwork. Under these impressions, I cannot help indulging a confidence and the proud consolation of securing the good opinion of a man whom all parties respect, and from whose integrity and honour even calumny withholds its whisper. My Lord, in this candid exposition of my feelings, I hope no expression has escaped me which can be construed to mean the slightest disrespect, or expose myself to the well merited animadversions of your Lordship. I therefore sincerely hope I shall be entitled to your Lordship's indulgence, and pardoned for any irregularity I might have committed in the progress of my statement. Feeling myself bound to obey the dictates of your Lordship, I bow, with every degree of respect and submission, and anticipate with joy and pride the decision of your Lordship will permit me to proceed to that settlement as Lieutenant-Governor.\*

Applies for  
Lieut.-  
Governor-  
ship at  
Hobart.An apolo-  
getic  
applicant.

THOMAS DAVEY, Major,

Royl. Marines.

P.S.—The Right Hon'ble Richard Ryder, one of His Majesty's Secretaries of State, has inform'd me that he has already laid a tender of my services before your Lordship.

\* See also Davey's letter of 5th August, 1811, post, p. 572.

1810

## HAWKESBURY SETTLERS ADDRESS.

1 Dec.

THE following Address from the settlers of Hawkesbury was presented on the 1st instant to His Excellency the Governor, at Windsor (formerly the Green Hills), by Thomas Arndell, Esq. :—

1st December, 1810.

Address to  
Maoquarie.

WE, the undersigned settlers, residents of the Hawkesbury and its vicinity, beg leave respectfully to congratulate your Excellency on your arrival at this settlement, and earnestly hope your Excellency will be pleased with the agricultural improvements and industry that pervade here, and trust that the continuance of our exertions will ever merit your Excellency's approbation.

A new  
magistrate.

We also beg leave to return our unfeigned thanks for your Excellency's recent appointment of William Cox, Esq., as a magistrate at this place—a gentleman who for many years has resided amongst us, possessing our esteem and confidence, who, from his local knowledge of this settlement, combined with his many other good qualities, will, we are convinced, promote your Excellency's benign intention of distributing justice and happiness to all :—

Hawkesbury  
settlers.

Thomas Arndell  
Thomas Hobby  
Benjamin Carver  
George Hall  
Laurence May  
Robert Martin  
James Richards  
Henry Baldwin  
Paul Bushel  
Robert Farlow  
William Baker  
John Yoel  
Thos. Matcham Pitt  
James Blackman  
John Merritt  
John Cobcroft  
John Gregory  
Richard Norris  
William Heydon  
Thomas Hampson  
Daniel McKay  
Daniel Fane  
John Lyoner  
Henry Murray  
John Jones  
James Milaman  
R. Fitzgerald  
John Stevenson  
Robert Wilson  
Jonathan Griffiths  
Elizabeth Earl  
G. W. Evans

John Bowman  
Hugh Devlyn  
John Watts  
William Eaton  
David Bell  
James Welsh  
Patrick Closhel  
William Carlisle  
Thomas Gordon  
Caleb Wilson  
Thomas Markwell  
Thomas Winston  
Thomas Hagger  
William Baxter  
John Baylis  
Donald Kennedy  
Patrick Murphy  
Owen Tierney  
William Shaw  
John Dight  
Roger Connor  
Matthew Lock  
Edward Pugh  
William Small  
William Faithful  
William Simpson  
Thomas Arkell  
James Wall  
Charles Palmer  
Thomas Weyham  
Elias Bishop  
Thomas Spencer

Joseph McColding  
Benjamin Baits  
John Ryan  
Robert Smith  
Paul Randall  
John Wild  
Benjamin South  
William Etrel  
Henry Lamb  
Martin Mentz  
Robert Guy  
John Harris  
Thomas Cheshire  
Stephen Smith  
Thomas Lambley  
Edward Field  
Rowland Edwards  
George Collis  
James Portsmouth  
Pierce Collett  
Thomas Appledore  
Jacob Russell  
William Dye  
Richard Carr  
John Leese  
Thomas Cowling  
John Embrey  
John Benn  
John Boulton  
William Ezzy.

To which His Excellency was pleased to make the following answer :— 1810  
1 Dec.

Sir, Hawkesbury, 5th December, 1810.

I beg you will make known to those respectable settlers of the Hawkesbury who signed the address presented by you to me, that I am much pleased with the sentiments it conveys, and to assure them that it will always be an object of the greatest interest to me to promote their prosperity by every means in my power. Governor Macquarie's reply.

With this view I have fixed on ground for four different townships for the accommodation of the settlers who have suffered so severely by the floods of the river ; and by a speedy removal to those situations of security, I hope they will enjoy the fruits of that labour, which, I am happy to observe, promises this season to be rewarded with one of the finest crops I ever beheld in any country.

I hope on my return to this part of the colony to find the new habitations built on an improved and enlarged plan to those hitherto erected on the banks of the Hawkesbury.

I am very glad to find that my appointment of Mr. Cox has met with the satisfaction of the settlers, and I have every reason to believe that he will fulfil the duties of his office so as to gain the good will of all.

I have, &c.,

Tho's Arndell, Esq.

LACHLAN MACQUARIE.

GREGORY BLAXLAND TO GOVERNOR MACQUARIE.  
(Colonial Secretary's Papers.)

Sir, Parramatta, 4th December, 1810.

4 Dec.

Since I left your Excellency I have traced the Nepean River from the part already known unto the mouth of the river we went up.\* The Nepean is a very small river in comparison to the other—in my opinion does not supply near a third part so much water to the Hawkesbury River as the other. In the distance we traced—about two miles—there are eight or nine falls, and the course very intricate and rocky, forming large basins or ponds alternately to the east and west. I could not examine quite so correctly a short space above the place where the rivers join, as the ledge of rocks I was compelled to follow lead immediately from the water to the top of the rocks, from which I saw the two rivers very distinctly, and particularly remarked the place your Excellency landed to pick some of the currywing flowers at the point of land between them. The Nepean River.

I remain, &c.,

G. BLAXLAND.

\* Probably the Warragamba.

1810

## JOHN MACARTHUR TO HIS WIFE.

5 Dec.

My beloved Elizabeth, London, 5th December, 1810.

Colonel  
Johnston.Macarthur's  
action  
against  
Bligh.Edward  
Macarthur.Macarthur's  
other sons.

I have this moment heard that there is a chance that a letter may reach the Providence before she sails. I therefore send a few lines at all hazards, and as I am uncertain about a frank, I write in this manner to save postage. The printed letter will explain as much as a volume could do. Colonel Johnston, as you will see, has been ordered to join, and is now (although a proclaimed mutineer) commanding His Majesty's 102nd Regt. This does not much accord with the opinions which we hear have been circulated; but there is a time for all things. I am continually engaged from morning until night with my lawyers in arranging the plan of a formidable attack upon Mr. Bligh.\* Thank God (and bread and water) I never was in better health and spirits. Three days ago I received a letter from Edward, dated the 22nd September. He had landed in Sicily and joined his Regiment the day before. He was quite well and highly gratified at his reception with the Regiment. He has excellent introductions to the different General Officers. In September next he will get a company. John was well on the 1st of this month. On the same day I received a letter acknowledging the receipt of yours from your old friend Colonel Campbell, in which was the following paragraph:—"I had the pleasure of seeing your son two days since. He is one of the finest young fellows I ever met with. Every one loves and respects him; his abilities are great and his manner most engaging." Are you not proud of your boy! James and William are also well. To-morrow they come home to get measured for some holiday clothes. They are both wonderfully grown, and what is better are making rapid progress in their education. They are reading Virgil. Ten thousand, thousand blessings on you and the dear girls is the reiterated prayer of your ever affectionate husband.

JOHN MCARTHUR.

## EX-GOVERNOR BLIGH TO THE RIGHT HON. CHARLES YORKE†

13 Dec.

Sir, Durham-place, Lambeth, 13th December, 1810.

Bligh's naval  
promotion.

When I had the honor of seeing you, immediately on my return from New South Wales, you recommended to my attention that Lord Liverpool's approbation was necessary before I could receive my naval promotion, which you had done me the honour to keep vacant for me. I also received the same intimation from Mr. Croker, on the part of the Lords Commissioners of the Admiralty;

\* This proposed prosecution fell through. That Bligh's opponents were desirous of impeaching him is well known. The following remarkable paragraph, which appeared in *St. James's Chronicle* of 9th July, 1811, may throw some light on the question: "Admiral Bligh's Court-Martial is suspended from some difficulties that have arisen whether that Court shall be composed of Naval or Military Officers."

† The Right Hon. Charles Yorke was First Lord of the Admiralty.

and under such circumstances I begged my Lord Liverpool would recommend me to you, sir, and the Hon'ble Board, that I might be allowed to receive my flag. 1810  
13 Dec.

The result of this application was a conversation with Mr. Secretary Peel, who informed me that no application had been made from the Admiralty concerning me, and without which I must be sensible Lord Liverpool could not certify anything by my request, as the Admiralty was totally distinct from his office, and the appointment rested solely with themselves.

I now beg leave, sir, to state to you that, with respect to my government, I have received from His Majesty's Secretary of State the most marked approbation of my conduct, both prior to the rebellion and after it, by proclamations by the King's command, brought out by Colonel Macquarie, who succeeded me, ordering him to reinstate me in my Government, and him to be sworn in by me, of which, as the affairs of New South Wales have been so misrepresented, and so little known, I think it necessary to enclose copies. Government approve of his conduct.

You will perceive, sir, by my Lord Castlereagh's letter, that it was His Majesty's orders to send the leader of the mutiny (Major Johnston) Home in arrest, which he had contrived to escape by leaving the colony before Gov'r Macquarie arrived; and great has been my surprise on my arrival in England to find this officer at large, and now commanding his regiment at Horsham Barracks, while I, who have strenuously done my duty according to the instructions which I received from His Majesty's Ministers, have the painful feelings of the reward of a long life—nearly forty years spent in the most active service—withheld from me—an apparent stigma, which gratifies the minds of those enemies of good government who have no way of defending themselves but by falsehood and infamous reports, prejudicing the minds of those they have been among, and which they have had the opportunity of doing by deserting from the colony before any advice arrived from His Majesty's Government, while I remained at my post, and by that means protected the poor loyal settlers and landholders of the colony from imprisonment and deprivation of their properties. Johnston ordered Home in arrest. Treatment of Johnston and Bligh compared.

I am induced farther to represent to you, sir, that in support of my naval command, by resisting the attempt of the military usurpers to take the command of my ship from me, I have suffered great hardships and injuries by imprisonment and proscriptions, having been obliged to take shelter for eleven months at the Derwent in a small ship, and all persons forbid bringing me or my daughter, who accompanied me, any supplies, while the officers of my ship went on shore constantly, and were intimate with the rebels who had proscribed me. Privations suffered by Bligh.

1810  
13 Dec.

From these circumstances, which I have taken the liberty to submit to your goodness and justice, I have every hope you will approve of my conduct and allow my rank in the Navy to take place.

I have, &c.,  
W<sup>m</sup> BLIGH.

GOVERNMENT AND GENERAL ORDER.\*

Government House, Sydney,

Saturday, 15th December, 1810.

15 Dec.

The  
Governor's  
visit to the  
country.

His Excellency the Governor, being now† returned from his late extensive tour of inspection through the various districts of this colony, where agriculture and the breeding of cattle have occupied the attention of the numerous settlers, deems it expedient to express freely his sentiments thereon. His Excellency has been much gratified by the natural fertility and beauty of the country in general, and having paid very minute attention to the progress of husbandry in this widely extended colony, feels that he has much to commend in the general industry of the settlers, and in the progress they have made in the clearing of their lands and the preparing them for the growth of grain. His Excellency is also happy in observing that the very increased extent of land at present under grain, providentially favoured by the fineness of the season and the redundancy of the crops, give full promise of a most plentiful harvest to crown the best wishes of the industrious husbandman; the banks of the rivers Hawkesbury and Nepean, in particular, hold forth the prospect of a most luxuriant harvest.

Improvements in  
agriculture.

Squalid  
dwellings.

His Excellency, however, cannot forbear expressing his regret that the settlers in general have not paid that attention to domestic comfort which they ought to do, by erecting commodious residences for themselves and suitable housing for the reception of their grain and cattle, nor can he refrain from observing in the miserable cloathing of many of the people, whose means of providing decent apparel, at least, are sufficiently obvious to leave them without an excuse for that neglect. His Excellency, therefore, earnestly recommends and trusts that they will pay more attention to those very important objects, and, by a strict regard to economy and temperance, that they will, on his next annual tour, enable him to give a more unqualified approbation to their exertions. His Excellency has been sorry to find that the landholders of the lower class are in general very inadequately

Scarcity of  
live-stock

\* See Macquarie's despatch of 18th October, 1811, post, p. 600.

† Macquarie started on the 6th November, and returned on the 13th December. In the *Sydney Gazette*, of 7th November, the following paragraph appeared:—"His Excellency and Lady, accompanied by a party of officers and gentlemen, left Parramatta at 6 yesterday morning on a visit to the Cow Pasture Plains, to view the herds of wild cattle. His Excellency afterwards designs to make an excursion to the New or Western River, and to return to Parramatta, which it is expected will be on Friday evening next, by way of 'Bunbury Curran,' the seat of Dr. Townson."

supplied with horned cattle, sheep, or goats, and being anxious to render them every facility in his power towards their deriving the advantages of live stock, is pleased to make known to them that such persons as do not already possess those comforts and advantages may be supplied from the Government herds with one cow each, on the following terms, namely :—Payment to be made for the same in grain or money, as may be most convenient to the purchaser, in eighteen months after receiving her ; but none need apply for such indulgence except those who can bring unquestionable vouchers for their honesty and industry, and are ready to give good security for their retaining such cow and her offspring in their own possession for the course of three years from the time of receiving her. They may be farther accommodated with a proportion of sheep from the Government flocks under the same restrictions. With such assistance from Government, and the steady exertion of industry on the part of the settlers themselves, the Governor is fully convinced that they may very shortly become as happy, thriving, and prosperous a people as any other throughout His Majesty's extensive foreign dominions.

1810

15 Dec.

Drafts from  
Government herds.

The frequent inundations of the rivers Hawkesbury and Nepean having been hitherto attended with the most calamitous effects with regard to the crops growing in their vicinity, and of consequence of most serious injury to the necessary subsistence of the colony, the Governor has deemed it expedient (in order to guard as far as human foresight can extend against the recurrence of such calamities) to erect certain townships on the most contiguous and eligible high grounds in the several districts subjected to those inundations for the purpose of rendering every possible accommodation and security to the settlers whose farms are exposed to the floods. In pursuance of this plan, and with a view to the prosperity of the country, he has already fixed on the most eligible situations within the several districts bordering on those rivers, and marked out on the several commons where the townships are to be established, and each settler will be assigned an allotment of ground for a dwelling-house, offices, garden, corn-yard and stock-yard proportioned to the extent of the farm he holds within the influence of the floods ; but it is to be clearly understood that the allotments so given, being intended as places of security for the produce of the lands on the banks of the Hawkesbury and Nepean, cannot be sold or alienated in any manner whatever, but with the farms to which they are from the commencement to be annexed, and they are to be always considered as forming an inseparable part of the said farms.

Hawkesbury  
floods.

Townships  
on the high-  
lands.

Laying out  
the town.

The Governor has accordingly marked out five separate townships, namely, one for the district of the Green Hills, which he

- 1810 has called Windsor ; one for Richmond Hill district, to be called Richmond ; one for the Nelson district, to be called Pitt Town ; one for the Phillip district, to be called Wilberforce ; and one for the Nepean, or Evan district, to be called Castlereagh. Directions are already given to the several constables within those districts immediately to ascertain and to make a return of the names of all those settlers whose farms are subject to be flooded, together with the number of their respective families, extent of their farms, and number of their flocks and herds.
- 15 Dec. Windsor, Richmond, Pitt Town, Wilberforce, Castlereagh. Said report on return is, in the first instance, to be made to Wm Cox Esq'r., principal magistrate at the Hawkesbury, and agreeably to a form already prescribed, from whom it is to be transmitted to His Excellency, who will thereupon instruct his acting surveyor to mark out the several allotments so as to enable the settlers to commence with the least possible delay the business of erecting houses and removing thither. The dwelling houses are to be either made of brick or weatherboarded, to have brick chimnies and shingled roofs, and no dwelling house is to be less than nine feet high. A plan of a dwelling house and offices will be left with each district constable, to which each settler must conform in the erecting his buildings.
- Preparing to build. His Excellency having extended his views also to the situation of the settlers on George's River, has deemed it expedient to mark out the situation for a township on the west side (or left bank) of that river, in the district of Minto, to which he has given the name of Liverpool.
- A valuable site. The situation of this town is admirably calculated for trade and navigation, being immediately on the bank of the river where the depth of water is sufficient to float vessels of very considerable burthen. At this town it is intended very soon to erect a church, a school-house, a gaol, a guard-house, &c. Leases of commodious and adequate allotments for houses and gardens will be given to suit free mechanics and tradesmen as may feel disposed to form a permanent residence there, on their giving regular and due security for their building comfortable and substantial houses, conformably to a plan that will be shewn them on application to Thomas Moore, Esq're, the Chief Magistrate in that district. Good tradesmen and mechanics settling at Liverpool will have the liberty of a large and contiguous common for grazing cattle, which is assigned for the benefit of the townships, and those persons who have not milch cows will be supplied with one cow to each such person from the Government herds for payment on advantageous conditions. All applications on these heads are to be made to Thomas Moore, Esq're, who will explain the terms on which allotments may be obtained.
- The Liverpool Common. Many applications for small grants of land having been made to the Governor previous to his proceeding on his late tour by various
- A new settlement area.

free persons, His Excellency has been at much pains during his tour to seek out and select a suitable tract of good land for their accommodation. His Excellency has it now in his power to say that he has discovered and examined a very rich tract of land, situated between the Bunbury Curran Creek and George's River, abounding in excellent pasturage, a good soil for cultivation, and well supplied with water. This tract of land His Excellency means to form into a distinct district, and is in future to be called **Airds.\***

1810  
15 Dec.

Such free persons as are anxious to procure small grants in that district are directed to make their applications in writing to the Secretary at Sydney either on or before the 15th day of January next. These applications are to describe the applicants' present place of residence, together with their trade or the employment they follow, and they are also to produce a certificate of good conduct signed by the magistrate or chief constable of the districts wherein they reside. Such persons as cannot procure unquestionable vouchers to their honesty, industry, and sobriety need not make any application, as it is His Excellency's determination to extend such indulgencies only to the truly deserving and industrious part of the community.†

Intending  
settlers.

GOVERNOR MACQUARIE TO LIEUTENANT-COLONEL O'CONNELL.

(Colonial Secretary's Papers.)

Head-quarters, Sydney,

Sir,

Saturday, 15th December, 1810.

Having received the King's commands, conveyed to me through His Majesty's Ministers and the Commander-in-Chief of the Forces, immediately previous to my departure from England to assume the government of this colony, directing me not to permit any officer of the 73rd Regiment to be engaged or concerned in any commercial, agricultural, cattle, or grazing speculations in this country, as being derogatory to the character of an

Officers  
forbidden  
to engage in  
trade.

\* Airds was one of the original districts of county Cumberland. Its boundaries, according to *Well's Gazetteer*, were:—North west side—Bunbury Curran Creek, Minto, and Upper Minto districts. West side—Nepean River to a small rocky creek (probably that now known as Woodhouse's Creek). South side—By that creek to the north-west corner of Woodhouse's Farm, and from thence in an east line to George's River. East side—By George's River.

† The *Sydney Gazette* of 15th December, 1810, contained the following paragraph:—"His Excellency the Governor returned to Sydney on Thursday last, having been absent thirty-seven days, after having completed an extensive tour through every part of this settlement; in the progress of which he visited George's River, Northern Boundary, Field of Mars, Concord, Liberty Plains, Baulkham Hills, Castle Hill, Prospect, Nepean, Cow Pastures, South Creek, Richmond Hill, The Hawkesbury, and the different districts in the neighbourhood of those places. His Excellency also explored the recently discovered river, called by the natives Warragonbie, which falls into the Nepean near Mulgoa, and which he traced in a boat for three miles and a half from its confluence with the latter river, at which distance his further progress was arrested by the first fall. The banks of the river are beautifully picturesque, finely clothed with wood, and in most places above four hundred feet high from the level of the water."

1810

15 Dec.

Macquarie  
will insist on  
obedience.

officer, subversive of military discipline, and contrary to the customs of the Army ; and having been yesterday informed that an officer in the 73rd Reg't has unwarrantably entered lately into a speculation of a purchase of cattle to a considerable amount, of which measure I cannot too strongly express my decided reprobation, I have to request you will be pleased to assemble all the officers of the 73rd Reg't now stationed at Sydney and inform them officially and publicly that is entirely out of my power to permit, sanction, or countenance such very unmilitary practices as the one now adverted to ; and that on any future occurrence of this kind I shall be under the painful necessity of resorting to such measures as may appear advisable for preventing a recurrence of such proceedings, by ordering the conduct of the person so offending to be investigated by a General Court-Martial, at the same time reporting such unofficer-like conduct to the Commander-in-Chief of the Forces for His Majesty's information.

Officers to be  
informed.

I request you will be so good as to make the contents of this letter known to the officers of the 73rd Reg't under your command, and which I fondly hope will preclude the necessity of my ever again addressing you officially on a similar subject as long as the 73rd Reg't remains in this colony.

I have, &c.,

L. MACQUARIE.

GOVERNMENT AND GENERAL ORDER. (Colonial Secretary's Papers.)

22 Dec.

22nd December, 1810.

Illicit stills.

THE Governor having received certain information that concealed stills are worked in different parts of the colony, from which a poisonous and inflaming spirit is procured ; and as it is certain that those stills are not worked but with the aid of some unknown, but not unsuspected, persons of property in furnishing sugar and other materials, the following rewards will be given to accomplices, laborers, and detectors, on conviction of the offenders, viz. :—

Rewards to  
convict in-  
formers and  
free men.

To a convict under sentence of the law, on conviction of the worker or workers of the still, not being above the class of settlers from prisoners, or those who have been or remain under sentence of the law, a conditional emancipation and a reward of ten pounds from the Gaol Fund.

To freemen of all descriptions, on conviction as above, a reward, in stock or otherwise, equal to the value of twenty-eight pounds sterling.

To a convict under sentence of the law, on conviction of any settler, dealer, or other person furnishing any of the materials for the purpose of such distilling, an absolute pardon and a reward of ten pounds from the Gaol Fund.

To freemen, on conviction as above, a reward in stock equal to **1810**  
 fifty-six pounds. **22 Dec**

Any convict, by whose information or means any person whatever is convicted of vending, giving, or bartering spirits so made, will receive a conditional emancipation.

Any freeman, by whose means any licensed person is convicted of selling, giving, or bartering such spirits, will receive the amount of the recognizances and have the forfeited licence.

LACHLAN MACQUARIE.

GOVERNMENT AND GENERAL ORDER. (Colonial Secretary's Papers.)

22nd December, 1810.

WHEREAS notwithstanding the number of licences which have been already granted for the sale of beer, and the strict injunction then held forth in the Government Public Notice of the 21st of July last against any persons other than those so licenced presuming to sell beer, ale, or porter, it has been represented to His Excellency the Governor that several persons continue to sell beer and cyder in various parts of this colony without any licence or legal authority whatever, to the prejudice of the licensed retailers and the injury of the revenue: This is therefore to give notice that any person not having a regular license who shall be detected in the selling of beer or cyder in any part of the colony on or before the 31st instant, Dec'r, will be fined for each offence the sum of £20 sterling, one half to be paid to the informer and the other half to go in aid of the Police Fund. And as it is His Excellency's wish to extend the benefit of licenses to such situations as the population may require, His Excellency will grant licences for the sale of beer and cyder in the different districts or townships where they may be deemed necessary to the accommodation of the public, limiting the number to four for each township. And in order to guard against the disposal of licences to ill-behaved and improper persons, no person will receive one who does not bring a certificate of good character from the magistrate of the district wherein he resides. The magistrates and constables are hereby authorised to apprehend and imprison any person who may be found retailing beer or cyder without license after this notice until by due trial he may be convicted or acquitted.

Beer  
licences.

Unlicensed  
vendors.

Penalties.

Character  
of licensees.

There being strong reason to suspect, notwithstanding the various orders of Government to the contrary, and the late frequent detection of stills, that many persons in different parts of this colony continue to carry on the clandestine distillation of spirits, and to vend the same to the great injury of the public and the morals of the people at large, His Excellency, therefore, deeming the various orders and regulations heretofore issued on that

illicit  
distillation.

1810 subject inadequate to the restraining of this ruinous practice,  
 22 Dec. hereby cancels and annuls the same, and in the stead thereof gives  
 this public notice, that being determined as far as in his power  
 lies to suppress totally the private distillation of spirits, or the  
 vending of the same, that every person daring to act contrary to  
 this order will be punished in the most exemplary manner. His  
 Excellency, therefore, to guard individuals from incurring the  
 punishment which will be most rigorously enforced against all  
 future offenders in this way, promulgates that all and every person  
 or persons who may be detected on or after the 31st of December  
 inst. in using or keeping a private still or alembic in his or their  
 possession, will in the first place of conviction thereof, be fined the  
 sum of twenty pounds sterling, to be levied off his or their goods  
 and chattels, the one half whereof is to be paid to the informer  
 and the other half to the Police Fund; and he or they will be  
 further sentenced to five years' hard labor in the gaol gang, or  
 transported for the same period to the coal-mines or elsewhere,  
 according to His Excellency's the Governor's will and pleasure.  
 As further encouragement to the persons giving information of  
 such illegal and highly injurious practice, the informer, if a con-  
 vict or prisoner, will, on proving the fact to conviction, receive an  
 emancipation; and all other persons, magistrates, constables, and  
 others are hereby called upon to render every assistance in their  
 power to the carrying of this most salutary measure into the  
 desired effect.

Penalties on  
conviction.

LACHLAN MACQUARIE.

GOVERNMENT AND GENERAL ORDER. (Colonial Secretary's  
Papers.)

22nd December, 1810.

Clergymen's  
fees.

His Excellency the Governor having received an application from  
 the Principal and Assistant Chaplains of the territory of New South  
 Wales, representing that in consequence of the increase of popula-  
 tion of this country, and the great accession to it of free and inde-  
 pendent settlers, the various parochial duties which they have now  
 to perform are accumulated in a like proportion, and thence  
 intreating His Excellency's authority to demand and receive for  
 particular duties certain surplice fees, agreeably to the usage of the  
 Church of England.

Convicts  
exempt.

His Excellency having paid all due attention to the said  
 application, and taking it into his consideration the rank and  
 prosperity of the numerous settlers now in this country, deems  
 it reasonable, and an act of justice towards the chaplains, to  
 authorize them to receive certain surplice fees from free persons  
 only.

His Excellency therefore authorises and empowers the said  
 Principal and Assistant Chaplains, from and after the 31st day of

the present month of December, to demand and receive on all marriages, christenings, churching of women, and funerals, the several fees specified in the following table, namely :—

	£	s.	d.	
Marriages by License—clergyman ... ..	3	3	0	Scale of fees.
„ „ clerk ... ..	0	10	6	
„ „ sexton ... ..	0	5	0	
„ by bans—free persons—clergyman...	0	10	6	
„ „ „ bans ... ..	0	3	0	
„ „ „ marriage ... ..	0	3	0	
„ „ „ sexton ... ..	0	1	6	
Christenings, for registering—clerk ... ..	0	1	0	
„ free persons only—clergyman ... ..	0	1	0	
„ „ „ clerk ... ..	0	0	6	
„ „ „ sexton ... ..	0	0	6	
Funerals, free persons—clergyman ... ..	0	3	0	
„ „ clerk ... ..	0	1	0	
„ „ bell ... ..	0	0	6	
„ „ grave-digger ... ..	0	2	6	

His Excellency at the same time enjoins the said Principal and Assistant Chaplains, as an act of reciprocal benefit to all classes of the society, to keep, or cause to be kept, exact registers of all marriages, christenings, churching of women, and funerals, which they may in future perform, and make a correct return thereof once in every quarter to the Secretary's office at Sydney; and said registers are required to contain the marriages, christenings, churchings, and funerals, as well of all convicts and prisoners as of free people. Registers to be kept.

His Excellency further authorizes the said Chaplains to dismiss or otherwise punish the grave-diggers within their respective parishes who shall demand or receive any larger sum for the digging of a grave than that described in the foregoing tables of fees, or who shall neglect to make the graves of a suitable depth, as well for the sake of decency as of preventing any noxious vapours or effluvia arising from thence to the offence or injury of the society. His Excellency strictly enjoins the Chaplains to pay the fullest attention to this very important object.

LACHLAN MACQUARIE.

#### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Saturday, 22nd December, 1810.

On Tuesday next, the 25th instant, being Christmas Day, by Divine permission it is intended that the Church of St. Phillip, at Sydney, shall be consecrated by the Rev. Samuel Marsden, Principal Chaplain. Consecration of St Phillip's Church.

1810  
22 Dec.

His Excellency the Governor is pleased to dispense with the labour of all the prisoners and other men working for Government on Christmas Day and the day following; but they are required to attend their work all the other days of the week, as usual.

The prisoners and others in the employment of Government, including the ticket-of-leave men at Sydney, will parade at the usual hour and place for Divine Service on Christmas Day.

#### GOVERNMENT AND GENERAL ORDER.

29 Dec.

29th December, 1810.

#### *Civil Department.*

D'Arcy  
Wentworth.

His Excellency the Governor has been pleased to appoint D'Arcy Wentworth, Esq., to be Superintendent of the Police in the town of Sydney and its vicinity, and a magistrate of the territory of New South Wales; and he is accordingly to be respected and obeyed as such.

His  
assistant.

Mr. Robert Jones is appointed assistant to the Superintendent of the Police, in the town of Sydney, with a salary of sixty pounds sterling per annum, commencing from the 1st of January next.

The Chief  
Constable.

Mr. John Redmond is confirmed as Chief Constable of Sydney, with a salary of sixty pounds sterling per annum, commencing from the above date.

The jailor.

Mr. Daniel Cubitt is confirmed as jailor of the gaol, in the town of Sydney, with a salary of sixty pounds sterling per annum, and is not to act in future as a constable, nor in any other capacity than that of jailor.

The above-mentioned salaries are to be paid out of the Police Fund.

The Super-  
intendent's  
duties.

The duties of the Superintendent of the Police will commence on Tuesday next, the 1st of January, and Mr. Wentworth will receive the necessary instructions for his guidance in that department from the Governor previous to that date.

Went-  
worth's pri-  
vate house.

Until such time as a proper police office shall be erected in some central part of the town, the duties of the office will be conducted at Mr. Wentworth's own house, in George-street.

Auctioneers'  
licenses.

His Excellency the Governor has been pleased to grant a license to Mr. James Larra to enable him to act as an auctioneer and appraiser in the town of Parramatta, on his entering into the necessary bonds and securities for the faithful performance of those duties, and the due observance of the Colonial Regulations and orders relating thereto.

His Excellency has also been pleased to grant a license to Mr. John Howe to enable him to act as an auctioneer and appraiser

in the town of Windsor, in the district of the Hawkesbury (vacant by the death of the late Andrew Thompson, Esq.), on his entering into the necessary bonds and securities for the faithful performance of those duties, and the due observance of the Colonial Regulations and Orders relating thereto.

1810  
29 Dec.

DANIEL PARNELL TO SECRETARY CAMPBELL.\*  
(Colonial Secretary's Papers.)

Sir,

I beg respectfully to apologise for the liberty I take in this address. As the subject I am to trouble you with embraces a case of personal distress, I am induced to hope your humanity will kindly induce you to second the means whereby its abatement may be effected, to explain which, I am, sir, under the necessity of troubling you with a more detailed statement than I could otherwise have wished. A short time previous to the arrival of His Excellency Gov'r Macquarie, I was induced to make a representation of the embarrassment I laboured under (from successive misfortunes) to Mrs. Paterson, who was pleased to lay my case before Colonel Paterson, who favoured me with his sanction for a few nights' theatrical representation, as well with a view to extricate me from my pecuniary difficulties, as to gratify the public with a theatrical temporary display, which would have taken place but for the causes above assigned. Altho', sir, I am far from imagining that His Excellency will be biassed by anything like precedent in cases of this nature, I cannot refuse myself the favourable opportunity of here informing you that Gov'r Bligh had given his permission for the erection of a permanent and spacious theatre for the performance of regular drama, and which, but for the circumstance of the change in the Government, had long since been carried into effect. How far His Excellency, our honored Governor, may consider the drama capable of producing a moral end, when properly conducted, I very submissively submit to your better knowledge; yet I flatter myself with the hope at the same time that His Excell'y will see no impropriety in granting his permission to my entertaining a select company for two or three nights, whose contributions might release me from pecuniary claims, and render this flattering imagination. I feel some assurance that your acquaintance with the Muses will befriend me at so critical a juncture, by a representation to His Excellency favourable to my application, confident as you may be in the assurance that regularity and good order shall be premier objects of attention, with,

An actor's  
distress.

A permanent and  
spacious  
theatre.

Sir, &c.,

DAN'L PARNELL.

\* This letter is not dated; but as it was found amongst a number of papers relating to the year 1810, it has been placed at the end of that year's records.

1810  
31 Dec.  
Shipping—  
inwards and  
outwards.

## SHIPPING RETURN.

Report of Ships and Vessels Entered Inwards and Cleared Outwards at Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of October, 1810, and ending 31st December, 1810.

Date of Entry.	Name of the Vessel.	Master.	Build.	No. of Tons	Where built.	Registered.	Name of the Owners.	From whence.	General Cargo.	Duty and Fees of Entry.
<b>INWARDS.</b>										
1 Oct.	New Zealand.	William Elder.	Foreign.	258.	8/23	London.	Daniel Bennett.	The Fishery.	110 tons of sperm oil.	£ s. d.
9 "	Mary and Sally.	Alfred Ambrose.	Plantation.	130.	1/16	Calcutta.	Allen MacAkill.	Calcutta.	General merchandise.	2 5 6
22 "	Hibernia.	Saml. Ashmore.	"	200.	6/27	Calcutta.	Scott, Wilson, & Co.	"	"	150 15 0
23 "	Frederick.	Alexander Badie.	Foreign.	240.	16/30	Prize.	Wilson and others.	London.	"	788 17 6
23 "	Hunter.	Thomas Folger.	"	268.	1/17	New Bedford.	Thomas Folger.	Liverpool and Cape of Good Hope.	"	380 16 6
18 Dec.	Indian.	Andrew Barclay.	British.	522.	12/45	Durham.	Munnery and others.	London.	"	147 8 6
										81 7 10½
										1,550 10 10½
Wines and Spirits received in the colony of New South Wales from the 1st day of October, 1810, and ending 31st December, 1810, viz.:—Mary and Sally—Rum, 16 casks, equal to 813 gallons. Hibernia—Rum, 33 casks, equal to 4,839 gallons. Frederick—Rum, 10 casks, equal to 2,025 gallons; gin, 3 casks, equal to 350 gallons; wine, 20 casks, 378 dozens, equal to 720 gallons. Hunter—Rum, 3 casks, equal to 300 gallons; brandy, 1 cask, equal to 150 gallons; wine, 21 casks, equal to 2,176 gallons. Indian—Rum, 4 casks, equal to 318 gallons; brandy, 2 casks, equal to 80 gallons; gin, 7 casks, equal to 288 gallons; wine, 8 casks—not landed.										
<b>OUTWARDS.</b>										
When cleared.	Star, brig.	John Wilkinson.	Plantation.	102.	6/20	London.	J. T. & W. Plummer.	Where bound.		
2 Oct.	Calcutta.	Daniel Cooper.	Foreign.	160.	1/34	Prize.	"	Sealing Islands.		0 5 0
8 "	New Zealand.	William Elder.	"	256.	10/27	Spain.	Daniel Bennett.	"	110 tons of sperm oil.	0 5 0
13 "	Spring Grove.	William Watson.	"	258.	8/27	Prize.	Wilson & Campbell.	The Fishery.	58 tons of sperm oil.	0 5 0
20 "	Atlanta.	Joseph Morris.	"	137.	6/16	"	William Wilson.	London.	1st tons of black whale oil.	0 5 0
12 Nov.	Canada.	J. B. Ward.	British.	403.	12/31	North Shields.	Reece and Green.	China.		0 5 0
13 "	Hunter.	James Robson.	Plantation.	320.	1/55	Calcutta.	John Gilmore & Co.	Peelers & China.		0 5 0
13 "	Hunter.	Thomas Folger.	Foreign.	268.	1/16	New Bedford.	Thomas Folger.	River Berweal and Coast of Peru.	2,000 bushels of maize, & a quantity of all provisions for Government.	0 5 0
30 Nov.	Frederick.	E. Dunker.	"	240.	16/32	London.	Wilson and Others.	The Fishery.		0 5 0
										2 5 0

H. GLENHOLM, Naval Officer.

POLICE REGULATIONS for the town of Sydney, in New South Wales, to be established and take effect, on and from the 1st of January, 1811. 1811 1 Jan.

## Section 1st.

1. That the town of Sydney shall henceforth be divided into five districts, to each of which shall be attached, a particular name, and be described as follows, viz. :—1st District.—From Dawe's Point on the north, to Surry-lane inclusive on the south; and extending from Sydney Cove on the east to Cockle Bay on the west. 2nd District.—From Surry-lane on the north, to the Military Barracks on the south, and extending from Sydney Cove on the east to Cockle Bay on the west. 3rd District.—From Macquarie-place on the north, to the north side of King-street on the south, both inclusive; and extending from Hyde Park on the east to Cockle Bay on the west. 4th District.—From the south side of King's-street on the north to Park-street on the south, both inclusive, and extending from Hyde Park on the east to Cockle Bay on the west. 5th District.—From Park-street and the Burying-ground on the north to the southern extremity of the Brick-fields on the south, and extending from Hyde Park and Surry Hills Farm on the east to Cockle Bay on the west. Police districts.

2. That in each district there shall be built a watch-house for the reception of such persons as shall be found in the streets after hours, idle, disorderly, or suspicious. Watch-houses.

3. That the name of each street or lane shall be painted in conspicuous parts thereof, and that each house therein shall be regularly numbered. Street names and street numbers.

## Section 2nd.

1. That in and over each and every of the above named districts, there shall be a person called the District Constable.

2. That each District Constable shall have under him six other constables in ordinary. Police regulations.

3. That the District Constable shall every night at sunset, place in the watch-house a constable, to be called the Constable of the Night, to receive such delinquents, and enter such charges as may be brought in during the night.

4. That the District Constable shall appoint every night two other constables to patrol the streets in their respective districts. Duties of constables.

5. That the District Constable shall, at certain hours during the night, visit the watch-house of his district, and see that the constables under him are diligent in the performance of their duties.

6. That the District Constable shall report every instance of disobedience, misconduct, or other negligence in the constables under him to the Chief Constable.

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1 Jan.

7. That, at 7 o'clock every morning, the District Constables shall receive the reports of the Night Constables of their respective districts, and carry the same, signed with their several hands, to the Chief Constable as soon afterwards as possible. -

8. That the District Constables shall attend the relief and stationing of the constables respectively under them, and give them such instructions as they may deem necessary, and shall obey such orders as they may from time to time receive from the Chief Constable.

Prisoners.

9. That the District Constables shall, under the orders of the Chief Constable, convey such prisoners as they may have in their respective custodies before the Superintendent of the Police, and follow his orders thereupon.

10. That each District Constable shall attend at a certain hour every afternoon at the house of the Chief Constable to hear and receive such other instructions as the Chief Constable may give.

## Section 3rd.

The night constable.

1. That the Night Constable shall repair at the hour appointed to the District Watch-house, and shall there remain until 7 o'clock the following morning.

2. That the Night Constable shall receive and take down the names and places of abode of such persons as may be brought into the watch-house during the night, and shall also take down the charges upon which they shall respectively be brought in, and the name of the constable or such other person who shall bring them in.

3. That such Night Constable shall duly make report of the same, and of all other occurrences as may fall within his knowledge during the night, and shall deliver such report, signed with his name, to the constable of his district, by 7 o'clock on the ensuing morning.

4. That such Night Constable shall strictly keep in charge and custody all such persons as may be brought to him in charge during the night, and deliver over the same to the District Constable the ensuing morning; and for this purpose he shall be allowed to secure, by such means as he thinks proper, all such persons so brought to him in charge, should they be riotous, or attempt by any means to escape.

## Section 4th.

1. That the ordinary constables shall come upon duty precisely at the hour appointed, and remain thereon until previously relieved, and shall in all things be obedient to the District Constables under whom they act.

Calling the hour.

2. That they shall every half-hour during the time they are on duty patrol the streets in their respective districts, and shall call the hour of the night at such intervals.

3. That they shall each be armed with a cutlass, and shall also carry a rattle for the purpose of giving alarm if necessary. 1811  
1 Jan.

4. That they shall strictly stop every prisoner or other suspicious person being about the streets after the hour of nine o'clock at night, and take them immediately to the watch-house of the district, where they shall leave them in charge of the Constable of the Night. Suspects.

5. That they shall have a discretionary power of calling at the houses where prisoners reside, or at any other suspicious houses, at any time during the night, to see if such prisoners or other suspicious characters are within, and if not, they shall examine the master or mistress of the house thereupon, and report the same to the Constable of the Night. Assigned convicts.

6. That if at any time during the night any fray, riot, or disturbance shall take place, they shall do their utmost to restore the peace, and shall forthwith commit the offenders to the watch-house. Keeping the peace.

7. That they shall be diligent in seeing that the houses and skillings and offices in the different streets in their respective districts are secure, and if the doors or windows of the same are open that they shall apprise the inhabitants thereof.

8. That in cases of emergency, or where additional assistance shall be required, the constables shall spring their rattles ; and all constables on hearing the same shall immediately repair to the place from whence the sound comes, and give all such assistance as may be necessary. Raising the alarm.

9. That every constable shall report the occurrences of the night to the Constable of the Night in the respective districts.

10. That they shall see that the houses of all persons licensed to sell wine, or spirituous liquors, or beer, are shut up by the hour of nine o'clock at night ; and if after that hour they shall hear any riot or disturbance therein, they shall enter the same and commit such persons so rioting to the charge of the Constable of the Night, and summon the master or mistress of the house to appear before the Superintendent of the Police on the following morning. Licensed victuallers.

11. That they shall enter all houses which they suspect to be houses of ill-fame, or (being unlicensed) where wine, spirituous liquors, or beer is retailed, and commit all persons whom they may find tippling or drunken, or misconducting themselves therein, to the charge of the Constable of the Night. Houses of ill-fame.

12. That they shall be diligent in pursuing, searching for, and apprehending all felons, burglars, housebreaker, riotous and disorderly persons, at all times, and in taking the same before the Superintendent of Police. Felons.

1811

## Section 5th.

1 Jan.

The Chief  
Constable.

1. That the Chief Constable shall do his utmost endeavour in seeing that the respective district and other constables are diligent in the performance of their duty, and that he shall strictly report every instance of neglect or misconduct on their parts to the Superintendent of Police.

Reports to  
Superintend-  
ent.

2. That he shall every morning receive the reports of the several district constables, and present them to the Superintendent, and receive his orders thereupon, and obey all such orders as he may receive from the Superintendent.

Disorderly  
houses.

3. That he shall enquire after all houses of bad repute and all disorderly houses, and faithfully report the same to the Superintendent, that they may be respectively indicted as such.

Drunk and  
disorderly.

4. That he shall apprehend and take before the Superintendent all persons whom he shall see drunken, idle, or disorderly in the streets, at any time, and all persons who have no apparent means of obtaining a livelihood, that they may be dealt with according to law.

Suspects.

5. That he shall watch narrowly all prisoners and suspected persons, and make enquiry as to their different modes of employing their own hours, that he may be the better able to caution the different constables respecting them.

Sly grog-  
sellers.

6. That he shall make report to the Superintendent of all such persons as he shall know, or shall suspect, to retail wine, spirituous liquors, or beer, without license, or to encourage vice or immorality in their houses, or to receive therein any women who seek to obtain a livelihood by prostitution, and that he shall in general do his utmost endeavour to observe publick decorum, and to report every breach thereof.

Sabbath  
breakers.

7. That he shall apprehend and commit to prison all persons whom he shall find breaking or profaning the Sabbath day, and shall give particular orders to the different constables under him to do the like.

Assigned  
servants.

8. That the Chief Constable shall keep a book, in which he shall enter the name of every prisoner resident in Sydney, and the place of his residence, and the name of the person or persons with whom such prisoners may reside, and that he shall order the constables in ordinary to visit the houses of such prisoners at certain times during the night.

## Section 6th.

The Super-  
intendent.

1. That there shall be a particular officer appointed to have the general care, superintendence, and inspection of every thing and person connected with the police of the town of Sydney, to be called the Superintendent of Police.\*

a magis-  
trate.

2. That such person shall be a magistrate of the territory of New South Wales.

\* D'Arcy Wentworth was the first Superintendent of Police appointed under these regulations.

3. That he shall have the general ordering and controul over **all constables, and shall have the power of punishing any neglect of duty in them, by striking them off the list of constables, or by indicting them for such neglect before the Criminal Court.** 1811  
1 Jan.  
His powers.

4. That he shall upon every day, at such hour of the forenoon **as shall be most convenient to him, receive the reports of the High Constable, and call before him all such persons as may have been apprehended by the several constables in the different districts during the night.** A court.

5. That he shall have the power of punishing every prisoner **duly convicted before him, upon the oath of one or more credible persons, of wilful neglect of work, of being abroad during the night after the limited hours, or of being intoxicated in the publick streets at any time, by publick whipping, not exceeding fifty lashes, and also by confining such persons to hard labour for any time not exceeding thirty days.** Punishing prisoners.

6. That he shall have the power of punishing all persons **whatsoever, duly convicted as above of being idle and disorderly persons, by publick whipping and confinement to hard labour, as above.** Punishing freemen.

7. That he shall have the power of punishing all persons **convicted on oath before him of being rogues and vagabonds, by publick whipping, not exceeding fifty lashes, and by confinement to hard labour for any time not exceeding six months.** Rogues and vagabonds.

8. That he shall have the power of punishing any persons **who shall be duly convicted before him of being incorrigible rogues, by confinement to hard labour for any time not exceeding twelve nor less than six months, and during that time of correcting such persons by whipping in such manner, times, and places as in his discretion he shall think fit.** Incorrigible rogues.

9. That all poor persons not using proper means to get employ- **ment, or spending their money in ale-houses or places of bad repute, or not applying a proper proportion to the maintenance of their families, or threatening to desert their families, or wilfully absenting themselves from their work, or publicly breaking or profaning the Sabbath day, or attempting to commit any felony or misdemeanour, or to break any house, or shall refuse to assist any constable in the execution of his duty, or being out after hours at night without reasonable cause, or being drunken or riotous in the streets during any time, shall upon due proof, upon oath, be taken and deemed to be idle and disorderly persons and punished as such.** Loafers.

10. That all persons having been once convicted and punished **as idle and disorderly persons, who shall again commit the same offence, or who shall actually desert their families without leaving them a proper maintenance, or who shall keep houses of ill fame** Rogues and vagabonds.

- 1811  
1 Jan. or bad repute for the reception of the lewd of either sex, or who shall commonly keep houses for the retail sale of wines, spirituous liquors, or beer, without a licence, or who shall keep a disorderly house of any kind, or who shall resist any constable in the execution of his duty, shall be deemed to be rogues and vagabonds and punished as such.
- Definition of incorrigible rogues. 11. That all persons apprehended as rogues and vagabonds, and escaped from those who apprehended them, and all rogues and vagabonds who shall escape from confinement before the expiration of the term for which they were committed, or who, having been once punished as rogues and vagabonds and discharged, shall commit the like offence, or striking or beating any constable in the performance of his duty, shall be deemed to be incorrigible rogues and punished as such.
- The black book. 12. That the Superintendant shall carefully keep a book, in which he shall enter the names of all persons brought before him, of the offences of which he shall have convicted them, and the punishments adjudged by him.
- Register of house-holders. 13. That the Superintendant of the Police shall keep a register, in which he shall enter the names and places of abode of every housekeeper in the town of Sydney, or within one mile thereof, and of every person composing their respective families, and the situations which such persons fill therein.
- Petty larcenies. 14. That the Superintendant shall have power to examine all persons charged before him with any felonies or larcenies of a trifling nature, and on conviction of the same, upon due proof, shall have power to punish the offender or offenders with corporal punishment not exceeding fifty lashes, and by imprisonment and hard labour for the space of three months.
- Aggravated felonies. 15. That he shall examine all persons charged before him with burglary, highway robbery, or other felony of an aggravated nature; and in case he shall be satisfied of the justice of such charge, he shall commit the offender or offenders to the gaol at Sydney, to take their trial at the next Criminal Court, and at the same time he shall bind over the several witnesses to appear and prosecute, and shall return such examination and depositions to the Judge-Advocate's office as soon as possible.

## Section 7th.

- Rewards on conviction of felons. That any person or persons apprehending and prosecuting to conviction any felons that commit burglary or highway robbery, shall be entitled to the sum of five pounds sterling out of the Police Fund, to be paid by the Treasurer thereof, on the certificate of the Judge-Advocate of the apprehension and conviction, within one month after such conviction.

## Section 8th.

1811

1. That all prisoners and labouring persons shall not be abroad <sup>1 Jan.</sup> or away from their houses between the hours of nine o'clock at Night <sup>Night prowlers.</sup> and daybreak in the morning, under the penalty above-mentioned, unless they can shew reasonable cause for the same to the satisfaction of the Superintendent.

2. That all persons shall be aiding and assisting, on demand, to the different constables in the execution of their duties.

3. That all prisoners in the actual employ of Government shall enter their names, their places of abode, and the names of the persons with whom they respectively lodge, with the Chief Constable at Sydney; and that such persons shall not change their respective lodgings unless they shall give previous notice of the same to the Chief Constable forty-eight hours before such change, that the same may be duly registered by him. <sup>Prisoners on public works.</sup>

4. That any prisoner refusing or neglecting to enter their names and places of abode with the Chief Constable, or to give notice of such change of residence to the same as aforesaid, shall, on conviction before the Superintendent, be adjudged to be and punished as an idle and disorderly person.

5. That every housekeeper resident in Sydney, or within one mile thereof, shall, on or before the 20th day of this present month of January, enter or cause to be entered with the Superintendent of the Police their respective names, places of abode, and the names of their children and servants, and also the names of such strangers or other persons as shall be resident with them, or shall remain in their houses beyond twenty-four hours from their first arrival. <sup>Householder's to be registered.</sup>

6. That any housekeeper neglecting or refusing to comply with the above regulation shall, upon conviction before two magistrates, be punished by fine and imprisonment at the discretion of such magistrates.

His Excellency the Governor, deeming the foregoing Police Regulations of the most essential and greatest possible importance, not only to the safety and security of the persons and property of individuals, but also to the welfare and prosperity of the inhabitants and the colony at large, commends and directs most implicit compliance and strict obedience from all descriptions of persons residing within its territory, to the several orders and regulations now published for their observance and guidance, as they shall answer to the contrary at their peril.

Given under my hand, at Government House, Sydney, New South Wales, this 1st day of January, 1811.

L. MACQUARIE.

1811 GOVERNMENT AND GENERAL ORDER. (Colonial Secretary's Papers.)

Head-quarters at Newcastle, in Hunter's River,  
Friday, 3rd January, 1811.

3 Jan.

Parole—Skottowe.

Countersign—Newcastle.

Newcastle  
returns  
required by  
Macquarie.

HIS Excellency the Governor-in-Chief being arrived at this settlement for the purpose of inspecting it, directs that Lieu't Skottowe will, with as little delay as possible, furnish him with the following returns, vizt. :—

- 1st. A return of all public buildings of whatever description belonging to the Crown.
- 2nd. A return of the small craft and boats of every description belonging to the Crown.
- 3rd. A return of the ordnance, ammunition, and military stores.
- 4th. A return of the Government cattle and sheep.
- 5th. A return of the wet and dry provisions now in store.
- 6th. A return of the number of persons now victualled at the expense of the Crown at Newcastle.
- 7th. A nominal return of the male and female convicts now at this settlement, specifying how long at Newcastle, and how and where employed at present.
- 8th. A return of the quantity of coals, lime, and cedar, now ready at the settlement to be shipped for head-quarters.

Parade of  
troops.

HIS Excellency the Governor and Com'r of the Forces will inspect the detachment of the 73rd Reg't at 9 o'clock to-morrow morning on their usual place of parade. At 10 o'clock he will inspect the whole of the male and female convicts now present at Newcastle, who are accordingly to be paraded in some convenient place for that purpose by their respective overseers; and the Governor hopes to see the whole of them clean and properly dressed on this occasion.

The Governor will immediately afterwards inspect the barracks of the soldiers, the provision stores, and the quarters and gardens of the convicts.

A holiday.

HIS Excellency the Governor directs that to-morrow shall be considered as a holiday, and that the convicts shall be exempted from labour during the whole of the day.

Extra  
provisions.

HIS Excellency is further pleased to direct that an extra ration of one pound and a half of fresh beef shall be served out to-morrow to each non-com. officer and soldier of the 73rd Reg't and male convict in the settlement of Newcastle, with the usual proportion to all the women and children.

HIS Excellency the Governor will proceed at one o'clock this day to inspect the coal-mines and lime-kilns at and in the vicinity of the settlement.

L. MACQUARIE

## LIEUTENANT KENT TO SECRETARY CROKER.

1811

[Extracts.]

His Majesty's Ship The Royal William,  
Spithead, 4th January, 1811.

4 Jan.

Sir,

I have been here with the witnesses from the river ever since the 31st ultimo, and I cannot help complaining of the conduct of my prosecutor in not making his appearance. The trial of Lieutenant Kent.

Lieutenant-Governor Foveaux, Major Johnston, and other officers of the Army, have, to oblige me (for the Deputy Judge-Advocate has informed me he could not subpoena them), came to Portsmouth as witnesses in my favour at a heavy expence, and they must return to their duty, by which I shall be deprived of their evidence unless their Lordships will be pleased to order Captain Bligh instantly to repair hither. He has endeavoured to throw as many obstacles in my way as possible; but it is similar to every part of his conduct toward me. I, therefore, further request you will be pleased to move their Lordships to order him down.

In consequence of the trial being thus delayed, Lieut.-Governor Foveaux has been obliged to return again to London; but has promised to be here on Monday.\*

I have, &amp;c.,

W. G. C. KENT.

## GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 5th January, 1811.

5 Jan.

ALL houses or other buildings, whether belonging to Government or private individuals, in the different streets and lanes in the town of Sydney, are to be immediately numbered, and the expence of painting the numbers on them to be paid by the respective occupiers thereof. Numbering the houses.

John Eyre is appointed to paint the numbers on all the houses in that part of the town situated on the east side of the spring, and James Richardson those on that part of the town to the westward of the spring. The charge of painting the number on each house will be six-pence only, which the Governor doubts not every inhabitant will cheerfully pay. John Eyre

## UNDER-SECRETARY BARROW TO SIR JOSEPH BANKS.

(Private.)

(Banks Papers.)

Dear Sir Joseph,

Admiralty, 15th January, 1811.

15 Jan.

Mr. Yorke, with his usual promptitude of decision, authorized me to write you the official letter which accompanies this, and which I hope will meet your approbation. Capt. Flinders may, therefore, get into harness immediately.† Flinders in London.

\* See the report of the Court-Martial, post, p. 405 (note).

† Flinders was liberated from the Isle of France on 18th June, 1810, and arrived in England on 22nd October following.

1811  
15 Jan.

With regard to the selection, there will be no difficulty ; indeed, Mr. Yorke said he would be quite satisfied to leave it to yourself, and depute me to represent the Admiralty—that is to say, the present Admiralty ; the next may supply a better representative. At all events, it may be quite as well to commence with all possible speed ; and to enable us to do so, you will, perhaps, write me a short letter in return, to desire the papers, sketches, &c., may be delivered to Capt'n Flinders, or any other you may please to name.

I am, &c.,

JOHN BARROW.

UNDER-SECRETARY BARROW TO SIR JOSEPH BANKS. (Banks Papers.)

Sir, Admiralty Office, 15th January, 1811.

Publication  
of Flinders's  
Journal

I have received and laid before my Lords Commissioners of the Admiralty your letter of the 13th instant,\* stating that Captain Flinders is prepared to commence the necessary operations for publishing the journal of his voyage in the *Investigator*, provided that their Lordships should approve of the measure, and, at the same time, expressing your readiness, in this event, to superintend the management of the draughtsmen, engravers, &c., who may be engaged in the execution of the work.

in a  
narrative  
form.

In return, I am commanded to acquaint you that their Lordships consider the information collected during the voyage of the *Investigator* to be of sufficient importance to be laid before the publick in the form of a narrative, to be drawn up by Captain Flinders upon a plan similar to that pursued in the publication of Captain Cook's voyage, and conformable with the 5th and 6th articles of the engagements made by their Lordships with the men of science employed on the said voyage.

Banks's  
services  
accepted.

Under these circumstances, I have to express to you the thanks of their Lordships for the handsome manner in which you have been pleased to offer your superintendence in the management of the draughtsmen, engravers, &c., who are to be employed, an offer of the value of which my Lords are too sensible not to accept of it with pleasure and satisfaction.

The illustra-  
tions and  
charts.

I am, therefore, to convey to you their Lordship's request that you will take charge of the sketches, charts, journals, and other manuscripts now in the Admiralty, which I am directed to deliver up to yourself, or to your order ; and, further, that at your convenience you will make out and transmit to me, for their Lordships' information and approval, a list of the subjects which you may deem it expedient to select for the embellishment of the publication, it being their Lordships' intention that, as in the case of Captain Cook's third voyage, the drawings and engravings shall be prepared at publick expense, and the paper, printing, &c., paid for out of the proceeds of the work.

I am, &c.,

JOHN BARROW.

\* Not available.

LIEUTENANT KENT TO SECRETARY CROKER.

1811

Sir, No. 45, Essex-street, Strand, 19th January, 1811.

19 Jan.

I request you will be pleased to offer my most respectful compliments to my Lords Commissioners of the Admiralty, and enquire if their Lordships have any objections to my publishing the minutes of the Court-Martial which assembled on the 8th instant for my trial.

The Court-Martial on Kent.

I have, &amp;c.,

WM. GEO. CARLILE KENT.

## GOVERNMENT PUBLIC NOTICE.

Orphan School, Sydney, 19th January, 1811.

THE committee of the Orphan Institution have resolved :—That the admission of children into the Female Orphan School who have parents in this colony, being a deviation from the spirit of the original institution, and the bad example set by those girls when restored to their parents being productive of very serious evils, and destructive to the morals of the other girls, no children but real orphans are in future to be admitted to the benefits of this institution.

The Orphan School.

S. MARSDEN,

Treasurer.

LIEUTENANT KENT TO SECRETARY BARROW.

No. 45, Essex-street, Strand,

Sir,

London, 25th January, 1811.

25 Jan.

I have this morning only the honor of receiving your letter of the 21st instant, in reply to mine of the 19th, which I found laying at my agents, and I have to request you will do me the favour of offering my respectfull duty to their Lordships, and assure them I have not obtained the minutes of the Court-Martial in a clandestine manner. The parole evidence I had taken down verbatim in Court in order to enable me to make my defence, and the copies of the documentary proof are in my possession.

Minutes of Court-Martial.

I would be extremely sorry to request permission to do an act of which their Lordships would disapprove. My relatives and friends (many of whom are on foreign stations) wished to have a copy of my trial, which was the reason I solicited their Lordship's permission, as I could not think of publishing it till I knew if they had any objection.

Kent's desire to publish them.

I hope their Lordships will be satisfied with the explanation now given, and your informing me whether they disapprove of doing so, will oblige

Yours, &amp;c.,

WM. GEO. CARLILE KENT.

## GOVERNMENT PUBLIC NOTICE.

Secretary's Office, Sydney, 25th January, 1811.

ALL persons now holding licenses for the sale of wine and Publicans' spirituous liquors, or for the sale of beer and cyder, in any part of licences.

- 1811  
25 Jan. this colony, who wish for a renewal of their licenses for the present year, are required to give in their names, with their places of residence, to this office, on or before Monday, the 4th of February next ensuing, with the names of their respective sureties, at which time they will be required to enter into similar bonds to those executed last year, and to pay the annual tax.
- New  
licenses. 2. Such persons as have not heretofore had licenses for the above purposes, but are now desirous of obtaining them, are also required to give in their names and places of residence, with their sureties, &c., in the same manner as above described, and are also to accompany their applications with satisfactory recommendations and certificates of good character. No license will be renewed to any person who does not produce satisfactory vouchers of his or her having kept a regular and decent house for the last year, and in strict conformity with the obligation entered into on procuring the former license.
- Brewers'  
licenses. It is further notified that in future every person wishing to carry on the trade of brewing beer, porter, or ale, must obtain a license for so doing; and all such persons are required, on or before the said 4th of February, to send into this office their applications for such license, accompanied with the names of responsible sureties, and respectable testimonials of good character. Each brewer is to pay for such license £25 sterling per annum, and to enter into bond, himself in the sum of one hundred pounds, and his sureties in £50 each, for the true and faithful application of grain to the purpose of brewing beer, porter, or ale exclusively.
- Issue of  
licenses. Such persons as are deemed eligible, and are approved of by His Excellency the Governor for holding licenses for brewing, and for vending wines, spirituous liquors, beer, and cyder, will receive them at the Judge-Advocate's office on Saturday, the 9th day of the next month of February.

By command of His Excellency,

JOHN THOMAS CAMPBELL,  
Secretary.

MARTIN MASON TO EARL LIVERPOOL.

- 26 Jan. My Lord, London 26th January, 1811.
- An impor-  
tant  
disclosure. Under the impression that any affairs relating to the colony of New South Wales come immediately within your department, I take the liberty to lay before your Lordship an important disclosure connected with that settlement, with a full assurance that you will enable me to bring the subject forward, or, at least, honor me with some communication for my government in reply.

I feel it a duty to myself and to my country to exhibit the following charges of murder, cruelty, treason, and oppression against Lieut.-Col'n. Joseph Favaux, late Acting Lieut.-Governor of Norfolk Island, New South Wales :—

1811

26 Jan.

Charges  
against  
Foveaux.  
Hanging  
unconvicted  
men.

1st. L't Colonel Favaux, on the 13th December, 1801, whilst acting L't Governor of Norfolk Island, did deliberately order J—— W—— and P—— M—— to be hanged without trial, or without proclaiming martial law, and did himself personally assist at their execution.

2nd. During his said government he, of himself, without a Court-Martial or any forms of trial to sanction even the suspicion of crime against the parties, did order four soldiers of the New South Wales Corps, viz., T—— T——, J—— J——, M——, and M——, to have their hair cut off, to be confined in irons in the common gaol, and compelled them to labour with the most abandoned convicts, dismissed them from His Majesty's service, and left them as exiles on that distant colony.

Punishing  
soldiers.

3rd. On the 30th July, 1808, L't-Colonel Favaux usurped the Government of New South Wales, assuming to himself the power of life and death over the inhabitants; and under this illegal constitution he caused the following persons to be executed, viz. :— J—— M——, R—— B——, C—— F——, J—— C——, and H—— D——.

Illegal  
execution.

4th. On the 3rd of December, 1808, he imprisoned several peaceable subjects, among whom were John Smith, John Hellea, Andrew McDugal, and myself, for refusing to renounce their allegiance to His Britannic Majesty in the person of his legal representative, and acknowledge him the legal Governor.

Punishing  
civilians.

The necessary witnesses being now in England, I am ready to prove the whole of the above facts as soon as your Lordship may chuse to grant the means necessary to bring them forward, or signify your approbation that I shall proceed against Lieut.-Colonel Favaux on those charges in any manner the law may point out, but am unwilling to act thereon without some previous intimation from your Lordship on the subject.

Willing to  
prosecute.

I am, &c.,  
M. MASON.

## PROCLAMATION.

26th January, 1811.

WHEREAS it is highly important to prevent the distillation of spirits in this colony, and to put a stop to the private and illicit selling, and exposing to sale, of spirits so distilled; and whereas the regulations adopted for this purpose have been hitherto found to be ineffectual: It is hereby ordered and declared, by the authority aforesaid, that such regulations be, and at the same time are, hereby repealed and declared null and void, anything herein contained to the contrary notwithstanding.

Distillation  
of spirits.

1811

26 Jan.

Penalty for  
keeping a  
still.

2. And it is further ordered and declared, by the authority aforesaid, that from and after the day of the date hereof, all and every person or persons whatsoever keeping, using, or having in his, her, or their custody or possession any still or alembic, or the head or body of any still or alembic, or any worm or worms of or belonging to any still or alembic, commonly used in the process of distillation, shall upon due conviction thereof in the usual form, before a Bench of Magistrates, forfeit the sum of twenty pounds of good and lawful money, to be levied by distress off his, her, or their goods and chattels, one moiety of which said sum shall be paid to the informer, and the remaining moiety thereof to the treasurer for the time being of the Police Fund, for the use and benefit of the said Fund; and he, she, or they shall be further sentenced to hard labour for the space of three years next ensuing, in such parts of the territory of New South Wales or its dependencies as His Excellency the Governor shall be pleased to appoint

Penalty for  
having  
locally-dis-  
tilled spirits  
in posses-  
sion.

3. And it is hereby further ordered and declared, by the authority aforesaid, that from and after the day of the date hereof, any person or persons whatsoever who shall distil any ardent spirit in this territory or its dependencies, or who shall buy, sell, dispose of, expose to sale, or have in his, her, or their custody or possession, any quantity whatsoever of any ardent spirits distilled in this territory or its dependencies, or in any part thereof, or who shall aid, assist, procure, abet, engage, or induce any person or persons whatsoever to distil any ardent spirit in this territory or its dependencies, or in any part thereof, or to buy, sell, dispose of, expose to sale, or have in his, her, or their custody or possession any quantity whatsoever of any ardent spirit distilled as aforesaid, shall, upon conviction as aforesaid, forfeit the sum of twenty pounds of good and lawful money, to be applied as aforesaid; and he, she, or they shall be further sentenced to hard labour for the space of three years thence next ensuing, in such parts of the territory of New South Wales or its dependencies as His Excellency the Governor shall appoint.

Penalty for  
removing  
same.

4. And it is hereby further ordered and declared, by the authority aforesaid, that from and after the day of the date hereof, any person or persons who shall, by virtue of any permit, signed by any magistrate or other person authorised to sign permits, fraudulently remove, or attempt to remove, or who shall aid, assist, procure, and incite any person or persons to remove or attempt to remove any quantity of spirits distilled as aforesaid, knowing the same to be spirits distilled in this territory or its dependencies, or knowing the same to be of any other or different kind of spirits than the kind mentioned in the said permit, or who shall fraudulently attempt, or procure others to attempt, to obtain any permit from any magistrate, or other person authorised to grant the same, for

the removal of any spirits distilled in this territory, or its dependencies, by describing the same to be spirits duly and legally imported into this territory, shall, upon due conviction thereof, as aforesaid, be transported for the space of three years to such part or parts of this territory or its dependencies as His Excellency the Governor shall appoint.

1811  
26 Jan.

5. And it is hereby further ordered and declared, by the authority aforesaid, that upon oath being made upon the Holy Evangelists by any informant, that he, such informant, has reason to believe that there is any quantity whatsoever of spirits distilled in this territory, or which has not been duly imported and landed, or upon or for the landing and importing of which the accustomed and lawful duties, charges, or demands have not been duly paid and discharged in any house whatsoever, within the said territory, or any part thereof, then, and in such case, it shall and may be lawful for the magistrate before whom such oath is taken, and such magistrate is hereby required to issue his warrant to any constable or constables whatever, to search such house and seize such spirits, and bring the same, together with the occupier of such house, before him, and such magistrate is hereby required to compel such occupier to find sufficient sureties to appear before the next Bench of Magistrates which shall be held at Sydney within the said territory, to answer such charge as may be made against him or her in that behalf, or in default thereof shall commit him or her to the common gaol of the town of Sydney until legally discharged by the due course of law.

Searching  
for illicitly  
distilled  
spirits.

6. And it is hereby further ordered and declared, by the authority aforesaid, that all such spirits, distilled in this territory or its dependencies, as may be seized by virtue of, or in pursuance of, this proclamation, upon due condemnation thereof, shall be destroyed.

Destruction  
of con-  
demned  
spirits.

7. And it is hereby further ordered and declared, by the authority aforesaid, that if any prisoner, convict, or person whose term of transportation be not expired, give information against, and prosecute to conviction, any person or persons whatsoever, or for any of the offences hereinbefore described, such convict or prisoner shall receive his or her emancipation, a certificate thereof being first had and obtained under the hand of the Judge-Advocate or magistrates before whom and by whom such offenders shall have been convicted as aforesaid.\*

Convict  
informers.

EARL FITZWILLIAM TO THE EARL OF LIVERPOOL.

My Lord,

Milton, 31st January, 1811.

31 Jan.

By the death of Mr. Jameson, Principal Surgeon to the colony in New South Wales, Mr. Wentworth, who has been there from the first establishment, becomes the senior in that department, The Principal Surgeon.

\* See also the proclamation of 30th March, 1811, post, p. 509.

1811  
31 Jan.

and under the regulations establish'd by L'd Melville has a claim to the appointment of Principal Surgeon. Allow me, therefore, to beg your Lordship to take his case on this occasion into consideration, and should he be found not incapable of the duty, to confer upon him the reward of long service by promotion.

I have, &c.,

WENTWORTH FITZWILLIAM.

#### LIEUTENANT KENT TO THE ADMIRALTY.

6 Feb.

45 Essex-street, Strand, 6th February, 1811.

MEMORIAL for Lieutenant Wm. Geo. Carlile Kent, late Acting Commander of His Maj's ship the Porpoise,—

Most respectfully sheweth :—

That your memorialist has served fifteen years in the Navy, chiefly upon foreign service.

Kent's  
services in  
the Navy.

In 1799 he served as a midshipman in the Tigre with Sir Wm. Sydney Smith at the defence of St. Jean d'Acre, and was quartered at the same gun on the walls of that memorable place where Captain Willmott of the Alliance gloriously fell. In 1802 he went to New South Wales in the Buffalo, and in 1805 was appointed Acting Lieutenant of that ship, in which capacity he continued until the 17th of April 1807, when Captain W'm Bligh, late Governor of New South Wales, having thought proper to send Capt. Short, of the Porpoise, to England in the Buffalo for trial, he removed your memorialist from that ship and placed him as First Lieutenant of the Porpoise. Upon Captain Short's trial not one charge was substantiated, which displeased Lord Mulgrave so much that he would not grant a confirmation to your memorialist, conceiving him to be a follower of Captain Bligh's. By this conduct of Captain Bligh, he lost above two years' rank, the acting-lieutenant, who returned to England in the Buffalo, being instantly confirmed.

A follower  
of Bligh.

For above a year your memorialist commanded the Lady Nelson, and was on the 13th of April, 1808, appointed Acting Commander of the Porpoise, on the death of Captain Putland.

During the time he had the honor to command that ship, while his superior officer was under an arrest by the military, in a most perplexing situation, he had great difficulties to surmount, by being abandoned by that officer, who would not give him orders for his government.

Placed  
under arrest  
by Bligh.

On the 1st of January, 1809, he was superseded by Admiralty Order, and then placed under arrest by Captain Bligh, in which state he continued for one year and eleven months, during which period he was treated with a rigour that no offence could warrant, being refused a knowledge of his alledged offences, thereby depriving him of the privilege of selecting evidence to produce in his defence.

That the conduct of your memorialist has undergone investigation before a full and respectable Court, who have given it as their opinion :—"That, under the extreme and extraordinary difficulties in which he was placed, he had shown every disposition to obey any orders his superior officer might have thought fit to give him ; that he was actuated by a sincere wish to perform his duty for the good of His Majesty's service ; that he was justified in the conduct he pursued on such occasion, and did, therefore, acquit him of the whole of the charges."

1811  
6 Feb.  
Acquitted.

For this conduct, so approved of by the Court, he has been severely persecuted by Captain Bligh, who, when he stood upon the brink of the grave, occasioned by such persecution, did, in total disregard of common humanity, refuse to allow a medical survey to be held upon him.

Persecuted  
by Bligh.

Your memorialist most humbly submits his case to your consideration, and hopes to be so fortunate as to find that your sentiments respecting his conduct coincide with those of the Court, and that the steps he pursued for supporting the honor of the Naval service when co-operating with the Military, for the good of His Majesty's service, in so delicate and unprecedented a situation, will meet with your approval. He therefore prays you will be pleased to confirm him in the rank of a commander, which, should he be so fortunate to obtain, he knows no better method of evincing his gratitude for so distinguished an honor, or that can be more satisfactory to you, than a solemn assurance that his future life shall be dedicated to the interest of the Naval service in general and the support of the honor of his Sovereign's flag in particular.\*

Applies for  
appointment  
of  
commander.

WM. GEO. CARLILE KENT.

\* In the London *Times* of the 11th and 12th January, 1811, the following report of the Court-Martial on Kent appeared :—

11th January, 1811.

Tuesday morning a Court-Martial commenced on board His Majesty's ship *Gladiator*, at Portsmouth (Vice-Admiral Hargood, President), for the trial of Lieutenant William George Carlile Kent, late Acting Commander of His Majesty's ship the *Porpoise* in New South Wales (and on whom the command of His Majesty's ships devolved on the suspension of Captain William Bligh, late Governor of that territory), in consequence of his having exercised his own judgment in proceeding to relieve the dependent settlements when all communication was cut off between him and the said Captain Bligh.

The charges preferred against the prisoner by Captain Bligh were—

- 1st. His having sailed from Port Jackson without his orders.
- 2nd. Having hauled down the prosecutor's broad pendant, which he was ordered to keep flying on board His Majesty's ship *Porpoise*, then under his command, and again proceeding to sea, without his orders, or any person duly authorised to give the same.
- 3rd. For having permitted Lieutenant James Symons to quit His Majesty's service and carry Home dispatches from the persons who had usurped the Government, and not apprehending him and bringing him to punishment.

In support of these charges, which caused Lieutenant Kent one year and eleven months' confinement, the prosecutor, out of above a dozen witnesses whom he summoned, only called one, being Mr. Griffin, his secretary, and then closed the prosecution by delivering in about noon the following written paper to the Court :—

Mr. President and Gentlemen,—Taking it for granted that the Court will not think it right to enquire into the propriety or impropriety of the dispossessing me of the Civil Government of the territory of New South Wales, as that is to be made the subject of investigation before another tribunal, and the Lords Commissioners of the Admiralty directed me, in framing the charges upon the present occasion, to confine myself to those

1811

CAPTAIN BOWEN\* TO UNDER-SECRETARY PEEL.

14 Feb.

Sir,

44, Dover-street, 14th February, 1811.

Bowen, the  
founder of  
Hobart.

I beg leave to introduce myself to you with stating that in the year 1803 I had the honor to establish His Majesty's right to the island of Van Dieman, contiguous to New South Wales, by forming a settlement on the spot where Colonel Collins afterwards fixed the establishment he brought from England. Having a great desire to return to the service of that colony in the vacancy left by the death of Colonel Collins, I beg you will do me the honor of laying this offer of my service for that purpose before the Right Honorable Earl of Liverpool.

I have, &amp;c.,

JOHN BOWEN.

## GOVERNMENT PUBLIC NOTICE.

16 Feb

Market  
wharf.

Secretary's Office, Sydney, 16th February, 1811.

THE wharf lately erected in Cockle Bay, and the street leading from thence to the new Market-place, being both finished at the expence of Government, and ready for the accommodation of the public at large, notice is hereby given that it is His Excellency the Governor's order and command, that in future all small craft, boats, or vessels of whatever description which may arrive laden with live stock, wheat, barley, oats, maize, fruit, potatoes, or any other vegetables, shall proceed to the said wharf in Cockle Bay, and there discharge their several loadings, whether they may be designed for public sale or private use; and all live stock, grain, fruit, vegetables, or other articles meant for sale, are to be carried direct from the said landing wharf to the Market-place, where they are to be reported to the clerk of the market, who is to make a regular entry thereof in the market book.

points which were in breach of the Naval Articles of War, I have no further evidence to trouble the Court with. Should, however, the prisoner put his defence upon that ground, and the Court think it right to enter into the enquiry, they will, I trust, hereafter permit me to call witnesses to answer to any charges which may be attempted to be established against me in justification of that measure. Until I hear what they are, it is impossible I can answer them; and to enter by anticipation into a general history of my Government, would, I apprehend, be an unnecessary waste of time to the Court.—W<sup>m</sup> BLIGH.

Lieutenant Kent was to commence his defence on Wednesday morning.

12th January, 1811.

The following is a copy of the sentence of the Court-Martial on Lieutenant Kent:—"The Court proceeded to try the said Lieutenant W. G. C. Kent on the charges preferred against him by Captain W<sup>m</sup> Bligh; and having heard the evidence produced in support of the charges, and by the said Lieut. W. G. C. Kent in his defence, and what he had to allege in support thereof, the Court is of opinion that it appears that the said Lieut. W. G. C. Kent did sail with the said ship from Port Jackson on the two instances stated in the above-mentioned charges without the orders of the said Capt. William Bligh; that he did not so sail under the orders of the persons asserted therein to have illegally and by force dispossessed the said W. Bligh of the government of New South Wales, and did not improperly strike the broad pendant of the said W. Bligh; that it appears that the said W. G. C. Kent, under the extreme and extraordinary difficulties in which he was placed, shewed every disposition to obey any orders which the said W. Bligh might have thought fit to have given him; that he was actuated by a sincere wish to perform his duty for the good of His Majesty's service; and that he was justified in the conduct he pursued on such occasion. And the Court is further of opinion that the said third charge has not been proved against the said Lieut. W. G. C. Kent, and doth judge him to be acquitted of the above charges; and the said Lieut. W. G. C. Kent is acquitted accordingly.

\* Bowen's portrait will be found facing p. 14, of vol. vi, of these Records.

No boats or vessels of any description are to be moored or made fast to the rails or any part of the wharf in Cockle Bay, except the iron rings, which have been fixed for that purpose in those timbers at the end of the wharf next to the sea. Carts may be brought to the extremity of the new street which leads to and joins the wharf; but they are on no account whatever to be brought upon the wharf itself. And should any persons be found to violate this order, either with respect to boats or carts, they will be prosecuted and punished according to law.

1811

16 Feb.

Wharf regulations.

As the wharfinger and sentinel at the hospital wharf will in future have orders to prevent any boats or vessels which may arrive from Hawkesbury, Parramatta, Kissing Point, or elsewhere, laden with live stock, grain, fruit, vegetables, or any other articles (whether for private use or public sale), from landing the same at the Hospital Wharf, or in any other part of Sydney Cove; the masters of such vessels are hereby cautioned not to attempt landing such articles in any part of Sydney Cove, as they will be prosecuted and severely punished on detection. Owners of boats and vessels employed in the carrying of any of the foregoing recited articles, are particularly called upon to instruct the persons having the management of them, to comply in the fullest degree with these instructions, as they will also suffer by the withdrawing of the license under which their boats ply, in addition to the penalty, which will be levied off the masters of the vessels themselves in case they should be found to discharge any of their cargoes in Sydney Cove.

The landing places.

J. T. CAMPBELL,

Secretary.

W. WILBERFORCE TO UNDER-SECRETARY PEEL.

My dear Sir,

At ye Office, Friday, 22nd February.

22 Feb.

I have at length found ye schoolmaster for whose going over to New Sou' Wales the Chaplain of that settlem't express'd so strong a desire, and to whom, with his wife, you gave me reason to hope Lord Liverpool would allow the very moderate sum of £100 per annum, which Mr. Marsden declared to be ye least which could be fairly offer'd. The schoolmaster and his wife, Bowden\* by name, will be ready to sail in a very few days, and by what I hear it will be yet some days before the vessel now about to sail for New South Wales will be actually off. As there has been long there such a pressing need for this article of ye first necessity (as I trust you will agree with me in thinking a schoolmaster in New South Wales) owing to ye death of ye fellow who went out last in that capacity, and who was a sample of schoolm'r at £60 per annum, I hope you will be able to authorise me to

A schoolmaster for New South Wales.

A pressing need.

\* On 27th February, 1811, Robert Peel authorised the payment, in advance, of £50 (one half-year's salary) to Mr. Thomas Bowden, schoolmaster for New South Wales.

1811 order ye man to wait upon you and prepare immediately for  
embarkation. It would be an addit'l comfort to ye man to be  
22 Feb. allowed to go now, because of his wife's situation and ye circum-  
stance of there being likely to be an accoucheuse in the vessel now  
nearly read to sail.

I should have nam'd this to you 2 or 3 days ago but for hav'g  
been hinder'd yest'y by indisposition. I shall be at ye house to-  
day, and can spare you ye trouble of writing by receiving ye  
answer there in person. I am, &c.,

W. WILBERFORCE

#### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Saturday, 23rd February, 1811.

23 Feb.

Bonding  
charges.

As a remuneration to the Commissary for bonding, and to the  
principal storekeeper for the extra duty and trouble he is subject  
to in gauging and measuring such spirits and wine as are allowed  
to be imported into this colony, His Excellency the Governor  
directs that they shall receive from all persons importing spirits  
and wines in future, for such bonding, gauging, and measuring,  
at the rate of one half per cent., or half a gallon for every hundred  
gallons of wines or spirits so bonded and gauged; all former  
Colonial Regulations and Orders on this head being now hereby  
annulled and revoked.

#### GOVERNMENT PUBLIC NOTICE.

Government House, Sydney, 23rd February, 1811.

Settling  
farmers on  
the land.

His Excellency the Governor directs that all those persons to  
whom he has promised to give small grants of land in the new  
district of Airds shall attend at Mr. Meehan's farm on the Bun-  
bury Curran Creek any day (Sunday excepted) from Wednesday,  
the 6th, to Saturday, the 16th of the ensuing month of March  
inclusive, for the purpose of receiving possession of such allotments  
as will then and there be marked and measured out for them by  
the acting surveyor, who has received orders to attend at the  
above-mentioned place during the time specified in this notice,  
and who will be furnished with a list from His Excellency of the  
names of all those persons to whom he has promised small grants  
of land, specifying the quantity intended to be allotted to each  
person.

Such persons as neglect to attend at the place and within the  
time herein limited cannot receive any grants of land for this year.

By command of His Excellency,

J. T. CAMPBELL,  
Secretary

THE JUDGE-ADVOCATE TO UNDER-SECRETARY PEEL.

1811

Sir, Downing-street, 23rd February, 1811.

23 Feb.

I have received your letter of the date of the 20th of February, transmitting an application from Governor Bligh, and requesting that I will acquaint you, for Lord Liverpool's information, whether I consider the evidence of Mr. Walker\* relative to the usurpation in New South Wales of sufficient importance to justify Government in directing an allowance to be made to him.

A witness  
for Bligh.

I am not enabled in answer to state any opinion as to the nature of the evidence of this gentleman, as I have no recollection of meeting with his name in the papers on that subject which I have as yet had an opportunity of examining. I would therefore recommend that Governor Bligh should be called upon to state more particularly the facts to which Mr. Walker has voluntarily offered to bear testimony, in order that a judgement may be formed of their importance.

I have, &amp;c.,

C. MANNERS SUTTON.

## GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Wednesday, 27th February, 1811.

27 Feb.

His Excellency the Governor and Commander-in-Chief deeply laments the melancholy necessity which has this day obliged him to exhibit to the inhabitants of the colony, in the death of the two miserable young men who this morning suffered the sentence of the law, so awful a warning of the inevitable consequences which attend a long continuance in habits of vice and irregularity.

An awful  
warning

The almost unexampled depravity of those two culprits, and their repeated and desperate offences, rendered it a bounden though very painful duty on the part of His Excellency no longer to allow them to continue members of that society whose laws they were continually and wantonly violating, and to which they were at once a terror and reproach, but to cut them off at that early period of life which in general encourages the hope of continued utility, and excites the strongest sympathies of humanity.

Depraved  
criminals.

His Excellency, however, trusts that a duty, the performance of which has been so painful to him, will not be without its salutary effects upon the public, and more particularly upon those unhappy but culpable individuals who would ere this have paid the forfeit of their lives to the offended laws of their country had not His Excellency been pleased to extend the Royal mercy to them.

A warning  
to others.

\* Probably Captain Charles Walker, whose evidence will be found on p. 137 of Bartrum's report of the trial of Lieutenant-Colonel Johnston.

1811  
27 Feb.  
—  
Forgery.

With regard to one of these unfortunate persons, His Excellency may observe that the crime of forgery, of which he was convicted, is one most highly prejudicial to the interests of society, as it strikes at the root of all commercial credit and confidence; is committed with facility, but is not without much difficulty either repressed or detected; and that His Excellency is therefore determined to punish any future offender convicted of a similar crime with the utmost severity of the law.

Female  
felons.

With respect to the two unfortunate women to whom the mercy of the Crown has been extended, His Excellency has to remark that their sex cannot be allowed to be an excuse for guilt; and that though mercy may sometimes be held out to the criminal, it cannot be suffered to interfere with that protection which is justly due to the virtuous and industrious part of society.

His Excellency indulges the hope that the occurrence of to-day may reclaim those who are yet young in vice; and that during his future administration he may be spared the recurrence of a duty which nothing but considerations of the most important nature could enable him to perform.

---

SECRETARY CROKER TO SIR JOSEPH BANKS.

1 March.  
Flinders's  
voyage to  
*Terra*  
*Australis*.

Sir,

1st March, 1811.

In obedience to the commands of my Lords Com<sup>r</sup>s of the Adm<sup>y</sup>, I beg leave to inform you that their Lordships are of opinion that the plan most advisable to adopt for defraying the charges which, from time to time, may attend the engraving of the plates of the charts and other subjects for the illustration of the voyage of Captain Matthew Flinders will be as follows, viz. :—

Upon any of the said works being completed, an account thereof, containing the charge of the artist, approved by you, to be transmitted to this office, and upon the same being laid before their Lordships, they will immediately give orders to the Navy Board to pay to the artist the amount of his claim, upon his furnishing the necessary receipts.

But provided there is any other mode that you would recommend in preference, I am to acquaint you that their Lordships will feel great pleasure in attending to your proposals.

I have, &c.,

J. W. CROKER.

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GOVERNMENT PUBLIC NOTICE.

2 March.  
The harvest

Commissary's Office, Sydney, 2nd March, 1811.

His Excellency the Governor, taking it for granted that all the settlers have by this time thrashed out and prepared their wheat for delivery, and to such as have not it is strongly recommended

that they do so immediately, lest their grain should be destroyed by the rains, which may now be expected to fall very heavy after so long a drought. After such of the settlers on the banks of the Hawkesbury have put in their respective quantities, according to the number of acres they may have cultivated (for the reception of which the stores are now open at Windsor), any surplus quantity they may have to spare will be received at the stores at Sydney, the stores at Parramatta being already full of wheat. The stores at Sydney will be opened for the reception of wheat from all descriptions of cultivators, at whatever place they may reside, from and after Monday, the 11th of this instant month of March.

1811

2 March.

Wheat for the stores.

GOVERNMENT NOTICE.

Secretary's Office, Sydney, 2nd March, 1811.

It appearing that the Government public notice, which was issued on the 16th ultimo, relative to the discharge of certain vessels in Cockle Bay, instead of Sydney Cove as heretofore, has been misunderstood in part, the public is hereby informed that vessels laden with fish are exempted from carrying them to the wharf at Cockle Bay, and from thence to the Market-place, and are to be permitted to land the same at the Hospital Wharf; but they are to be carried off immediately from thence, and on no account whatever to be made sale of either on the Hospital Wharf or from the boat's side. It is to be also understood, that vessels laden with grain from Hawkesbury, Parramatta, or elsewhere, if destined for the Government stores, or for the stores of private persons, or for the private use of individuals, and not for market sale, may be discharged as heretofore at the Hospital Wharf, or into private stores in Sydney Cove; but in case of any grain being landed in Sydney Cove, under the pretence of being put into the stores of the individuals to whom it may belong, and it should be found afterwards to be carried off from the wharf to any other store or place than that of the actual importing owner, it will be liable to seizure, and the existing penalties put in full force, both against the persons so fraudulently making sale or disposing of it, and the boat so discharging it; and all bakers and other persons are cautioned hereby against buying the same, otherwise than out of the stores of the importer, as they will be prosecuted for so doing as forestallers and regrators of the market.

Fish.  
Landing grain.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 3rd March, 1810.

3 March.

HIS Excellency the Governor has deemed it expedient to direct that an additional duty of one shilling and sixpence per gallon shall be collected and paid on all spirits imported into this colony, till further orders.

Duty on spirits.

1811  
5 March.  
Population.

GENERAL STATEMENT of the Inhabitants in His Majesty's Settlement on the Eastern Coast of New South Wales,  
with an Estimate on the Remains of Provisions in the Public Stores, 5th March, 1811.

	Civil Department Victualled.																			Military Department Victualled.																
	Governor and Commander-in-Chief.	Lieutenant-Governor.	Deputy Judge-Advocate.	Acting Commissary.	Acting Principal Surgeon.	Act'g Deputy Provost-Marshal.	Secretary to the Governor.	Clergymen.	Assistant Surgeons.	Acting Surveyor of Lands.	Act'g Dep'y Surveyr of Lands.	Deputy Commissaries.	Boat Builder.	Commissary's Clerks.	Sup't'dants and Storekeepers.	Women of the Civil Dep'tm't.	Children above 2 years of age.	Children under 2 years of age.	Total of the Civil Department Victualled.	Colonel.	Lieutenant-Colonel.	Major.	Captains.	Lieutenants.	Ensigns.	Adjutant, Quartermaster, and Paymaster.	Surgeon, Acting do., and Assistant do.	Serjeants and Corporals.	Drummers and Fifers.	Privates.	Women.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Total of the Military Department Victualled.	
At Sydney ..	1	1	1	1	1	1	1	1	1	1	1	2	1	2	8	13	29	7	70	..	2	..	..	6	7	3	3	2	71	16	219	..	150	70	1198	
" Parramatta ..	..	..	..	..	..	..	..	1	1	..	..	..	..	..	6	7	19	2	35	..	..	..	..	1	1	..	..	8	..	76	26	16	42	15	138	
" Hawkesbury ..	..	..	..	..	..	..	..	1	1	..	..	..	..	..	2	2	12	2	20	..	..	..	..	..	..	..	..	3	..	14	7	3	8	2	37	
" Newcastle ..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	1	2	3	..	7	..	..	..	..	1	..	..	..	..	4	25	7	..	4	3	44	
Total ..	1	1	1	1	1	1	1	1	3	4	1	3	1	3	16	24	60	11	132	..	2	..	..	6	9	4	8	2	86	10	763	262	19	204	50	1407

POPULATION.

503

GENERAL STATEMENT of the Inhabitants in His Majesty's Settlement, &c.—continued.

	Free Persons Victualled.				Persons Victualled from the Public Stores.				No. of different Rations.				Total No. of Persons Victualled from the Stores.				People not Victualled from the Public Stores.				Settlers not Victualled from the Public Stores.				Total No. of Souls in the Colony.				Weeks Provisions at the Established Rations.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
	Men.				Women.				Total No. of Free Persons Victualled.				Total Number of Persons Victualled.				At a Full.				At Two-thirds.				At a Half.				At a Quarter.				Total No. of Full Rations.				Men.				Women.				Children.				Total Number.				Men.				Women.				Total No. of Souls.				Salt Beef and Salt Pork.				Wheat and Maize.				Rice and Flour.				Sugar.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
	Children above 10 years.	Children above 2 years.	Orphans at Full.	Total No. of Free Persons Victualled.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Total Number of Persons Victualled.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Total Number of Persons Victualled.	At a Full.	At Two-thirds.	At a Half.	At a Quarter.	Total No. of Full Rations.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	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Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	Children.	Total Number.	Men.	Women.	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Men.	Women.	Children.	Total Number.	Men.

L. MACQUARIE, Governor-in-Chief of New South Wales.

1811  
5 March.  
Population.

1811

THE JUDGE-ADVOCATE GENERAL TO EARL OF LIVERPOOL.

11 March.

My Lord,

Downing-street, 11th March, 1811.

Mutiny of  
officers of  
New South  
Wales  
Corps.

Your Lordship having transmitted to me the voluminous documents relative to the deposing and confinement of Governor Bligh, in the colony of New South Wales, in the month of January, 1808, with a request that I would communicate to your Lordship my opinion as to the steps which it may be most advisable to take in consequence of that very extraordinary proceeding,—I am now prepared to state to your Lordship that, in my judgement, the first step should be to prefer a charge against Major, now Lieu't-Colonel, Johnstone, of the 102'd Regiment (late the New South Wales Corps), for inciting and putting himself at the head of a mutiny and sedition, and deposing and confining the Governor and Commander of the Forces of the colony, and that measures should be adopted with as little delay as possible for bringing that officer to his trial.

Johnston to  
be charged  
with  
mutiny.

Was  
Foveaux's  
conduct  
criminal?

With regard to Lieu't-Colonel Foveaux, who took possession of the Government of the colony in the month of July following, and who upon his arrival at Sydney adopted and confirmed the acts of Lieu't-Colonel Johnstone, it is obvious that the question whether or not his conduct was criminal must in a great measure depend upon the judgement which may be formed on the previous conduct of Lieu't-Colonel Johnstone. I would, therefore, recommend that any proceeding against Lieutenant-Colonel Foveaux should be suspended till the termination of the trial of Lieutenant-Colonel Johnstone.

Other  
officers, how  
far impli-  
cated?

Upon the same principle, it appears also to me to be advisable that no charges should for the present be preferred against any of the officers of the New South Wales Corps who were under Lieutenant-Colonel Johnstone's command at the time of the mutiny and insurrection, and who took a part under him in that transaction. The circumstances which will be detailed in the course of the proposed investigation will necessarily throw some light on the degree of forwardness and activity which any of those officers may have shewn at the period alluded to.

\* \* \* \* \*

I have, &c.,

C. MANNERS SUTTON.

#### SOUTHERN WHALE FISHERY.

Council Meeting—13th March, 1811.

13 March.

Whaling in  
the south  
seas.

*Read*—An application for permission to extend the limits of the southern whale fishery to the eastward of the Cape of Goop Hope, between the longitudes of 115 and 180 degrees east, as far as 10 degrees of north latitude.

*Ordered*,—That a letter be written to the chairman of the East India Company, desiring that the Court of Directors will be pleased to take the said application into their consideration, and acquaint their Lordships whether the Court of Directors will have any objection to such an extension of the southern whale fishery.\*

1811

13 March

## CAPTAIN KEMP TO SIR JAMES SHAW.

Sir,

King's Road, Chelsea, 14th March, 1811.

14 March.

I hope you will pardon the liberty I take in addressing you on a subject I feel myself particularly interested in. I am free to acknowledge the conversation you related to me yesterday evening you had just had with Mr. Peele has given me much concern. That I must have been grossly misrepresented to him is too evident; but I am still persuaded to hope that, on an investigation of my conduct, Mr. Peele will be induced to think that throughout the whole of the transaction respecting the arrest of Gov'r Bligh I was actuated by the most pure and honorable motives. I am sorry to find I am censured for having accepted the office of Judge-Advocate. It is therefore incumbent on me to acquaint you how I came to be appointed. Mr. Grimes, who was nominated to that office† on the arrest of Gov'r Bligh, was order'd Home with dispatches to Government. Two months after his departure the office was vacant. I was repeatedly urged to accept it, but I always declined, stating as one reason my inability to fill so important an office. The gaols at length became so crowded with prisoners for crimes of various descriptions—murder among the rest—that it was absolutely necessary the laws should no longer be suspended for want of a Judge-Advocate. I then again was applied to and solicited by Colonel Johnston and many of the principal inhabitants to undertake the office. I reluctantly complied, and this appears now to be the “head and front of my offending.”

Kemp and the arrest of Bligh.

Acting as Judge-Advocate.

Crowded gaols.

Three officers, namely Capt'n Brabyn, Lieut's Lawson and Bell, who acted as magistrates under the assumed Government of Colonel Johnston, have been transferred from the 102nd Reg't to a veteran company in New South Wales, and are only waiting going thither till the trial is over of Colonel Johnston.‡ Surely, if

Brabyn, Lawson, and Bell.

\* In answer, the Chairman of the East India Company wrote asking to be informed to what extent the then existing restrictions interfered with the New South Wales fisheries, and what benefits they anticipated from the proposed change. Here the correspondence, for the time, ended.

† Captain Abbott was appointed in the first place, but refused to accept the office.

‡ Neither Brabyn, Lawson, nor Bell were amongst the witnesses at Johnston's trial. Brabyn and Lawson were members of the Court summoned by Bligh for the trial of Macarthur in January, 1808. They were both adherents of Johnston. It would appear from Macarthur's letter of 21st April, 1811, post, p. 527, that although summoned as a witness at the Court-Martial on Johnston, Lawson was not very enthusiastic in the cause. Upon the arrest of Bligh, Johnston appointed Lawson his aide-de-camp, and regarded his evidence as of vital importance to his defence. Lawson, Brabyn, and Bell sailed in the Admiral Gambler on the eve of Johnston's trial.

1811 these officers are permitted to return to New South Wales with  
 14 March. encouragement from Government, it is particularly hard for me to be refused the confirmation of my grants of land, especially when it is consider'd I have spent the best part of my life in New South Wales, and have been upwards of 17 years in His Majesty's service.

Kemp's land grants.

The patent of the Governor expresses that in the absence of the Governor the Lieut't-Governor or officer in command for the time being shall have power to grant lands, &c. My grants, for myself and children, were given me by Colonel Foveaux and the legal Lieut't-Governor, Lieut't-Colonel Paterson. It is painful for me now to reflect that it is likely my industry is to be alienated from my family. As I spared neither trouble or expence in converting a howling wilderness into a cultivated plain, with a good house erected on it, I cannot allow myself to think the Government will deprive my children of the benefit of it. Trusting you will pardon my trespassing on your attention so long concerning my affair.

I am, &c.,

ANTHONY FENN KEMP,  
 Capt'n, 102nd Reg't.

#### GOVERNMENT AND GENERAL ORDER.

16 March. Government House, Sydney, Saturday, 16th March, 1811.  
 2,300 gallons THERE being about two thousand three hundred gallons of Bengal  
 of rum. rum now in the bonded stores recently imported in the ship Arabella, His Excellency the Governor has given permission for the disposal of it at the Government price, namely, thirteen shillings per gallon, including duty.

Distribution of spirits. The following distribution of the abovementioned spirits will commence on Monday next, the 18th instant, at eleven o'clock in the forenoon, and continue daily until the whole is issued, namely :—

To the officers, civil and military, each 15 gallons.

To the gentlemen settlers, each 10 gallons.

To the superintendants, storekeepers, principal clerks, and chief constables, each 5 ditto.

To the overseers of working gangs, &c., each 3 ditto.

To the constables at Sydney, each 2 ditto.

To persons holding licenses at Sydney and the out-settlements, each 15 ditto.

Such persons as wish to receive the abovementioned proportion of spirits must pay for the same on receipt in ready money, either in store receipts or Paymaster's notes, to the proprietor, Captain Leigh, of the ship Arabella, or to his agents.

## GOVERNMENT AND GENERAL ORDER.

1881

Government House, Sydney,

Wednesday, 20th March, 1811.

20 March.

The ration.

His Excellency the Governor is pleased to direct that the following ration be issued to those persons victualled from His Majesty's stores throughout the settlement, to commence on Saturday, the 23rd instant :—

To civil and military—Twelve and one-half pounds of wheat, seven pounds of beef, or four pounds of pork.

To settlers, free persons, and prisoners—Six pounds of wheat, thirteen pounds of maize, seven pounds salt beef, or four pounds pork ; women and children in proportion to the latter ration.

## CAPTAIN KEMP TO EARL LIVERPOOL.

No. 9, King's Road, Chelsea, 21st March, 1811.

21 March.

THE humble petition of Captain Kemp, of the 102nd Regiment, stationed at Sydney, in New South Wales,—

Sheweth :—

That your petitioner, while resident in Sydney, acted as a magistrate under the Governments of Lieutenant-Colonel Johnson and Lieutenant-Governors Foveaux and Paterson, and that in March 1809, he, in conjunction with other magistrates, committed one John Palmer for trial before a Criminal Court for certain breaches of the peace alledged against the said John Palmer—*vide* Sydney Gazette of 19th March, 1809, left herewith, marked A.

That the said John Palmer was afterwards convicted by such Criminal Court and sentenced to six months' imprisonment.\*

That in January, 1810, the proclamation in the Sydney Gazette of January 4th, 1810,† also left herewith (marked B), was issued by His Excellency Governor Macquarie.

That in consequence of the judicial act of your petitioner as above stated, an action hath been lately commenced in His Majesty's Court of King's Bench against your petitioner at the suit of the said John Palmer for an assault and false imprisonment, and other actions are threatened to be brought against your petitioner for acts done in his magisterial capacity.

That your petitioner having consulted counsel upon the subject of the defence to such action, he is advised that it is material and absolutely necessary that he should be informed of the contents of the instructions from Government to His Excellency Governor Macquarie, so far at least as respects the power of indemnity in

\* Kemp is slightly in error here. Palmer was sentenced to three months' imprisonment, and fined £50. Charles Hook, a member of the firm of Campbell & Co., was also convicted, under the same circumstances as Palmer. He was sentenced to one month's imprisonment, and fined £50. (See Fulton to Castlereagh, 23rd March, 1809, ante, p. 87.)

† Ante, p. 257.

1811  
21 March. favour of persons who had *bond fide* acted under powers or commissions granted by persons not authorized by law to grant the same, as expressed in the proclamation, observing that he should apprehend your petitioner would be able readily to obtain from Government this information, so important to his defence as well in pleading as in evidence on the trial.

Macquarie's  
instructions.

Your petitioner humbly prays, therefore, that he may, without loss of time, be furnished with a copy of, or informed of the contents of, the instructions from Government to His Excellency Governor Macquarie, so far as respects the power of indemnity in favour of persons who had *bond fide* acted under powers or commissions granted by persons not authorised by law to grant the same, as expressed in the proclamation.

ANTHONY FENN KEMP,  
Captain, 102nd Regiment.

MRS. PATERSON TO EARL LIVERPOOL.

22 March.  
Colonel  
Paterson.

My Lord, No. 5, Hay-market, 22nd March, 1811.

I beg leave respectfully to claim your Lordship's attention to the undermentioned claims of my late husband Colonel Paterson, for salary due to him for his services in New South Wales. I should not have troubled your Lordship had I not been inform'd by the Colonial Agent that my claims could not be paid by him without your Lordship's order.

The moiety of the Lieutenant-Governor of the territory's salary from the 7th of September, 1795, to the 28th of September, 1796, during which period he was the officer second in command.

Paterson's  
claims to  
salary of  
Lieutenant-  
Governor.

The full salary of the Lieutenant-Governor of the territory, from the 3rd of November, 1799, being the day on which Colonel Paterson arrived at Port Jackson from England until the 9th of June, 1801, for which the enclosed paper will show it was the instructions of His Majesty's then Secretary of State to Governor King that he should be appointed the Lieutenant-Governor.

The moiety of the salary of the Lieutenant-Governor of the territory from the 3rd of October, 1804, to the 31st of December, 1808, being on a detached duty from his Lieutenant Government forming the settlement of Port Dalrymple, as will appear by the enclosed paper.

From the 3rd of October, 1804, to the 31st of December, 1806, Colonel Paterson only received a salary of £250 per annum, although he was entitled to £450 per annum, being absolutely in the command at Port Dalrymple, during that period.

Certificates  
of service.

I beg respectfully to state to your Lordship that, in the former claims, Colonel Paterson was doing duty under Governor Hunter, for which the paper is a certificate. For the latter periods Colonel Paterson had no certificates, having been informed by Governor King that, his being in a separate command, his public dispatches were a sufficient voucher.

The obtaining of the above claims being of so serious a consequence to me, will, I trust, plead my excuse for thus occupying your Lordship's attention, and induce your Lordship to grant me an order for their payment. I have, &c.

1811

22 March.

ELIZABETH PATERSON.

[Enclosure]

THESE are to certify that L't-Col. William Paterson serv'd as second in command in His Majesty's territory of South Wales during the following periods, viz., from the 7th of September, 1795, untill the 28th September, 1896, and also from the 3rd of November, 1799, untill the 21st October, 1800.

Given under my hand, in London, this 1st day of December, 1810.

JNO. HUNTER,

At the above periods Governor of New South Wales and its Dependancys.

## GOVERNMENT PUBLIC NOTICE.

Secretary's Office, Sydney, 23rd March, 1811.

23 March.

It being of the utmost importance to prevent the passing of any horses, cars, carts, or carriages over the new bridge lately erected in the town of Sydney, and leading from George-street to Macquarie-place, until the arch shall have time to settle down and acquire strength, this is to give notice that all persons are strictly forbidden to drive or pass any horses, cars, carts, or carriages of any kind over the said bridge until such time as notice shall be given of its being in a state of readiness for the public accommodation.

The new bridge.

## PROCLAMATION.\*

30th March, 1811.

30 March.

WHEREAS the illegal importation and distillation of wines and spirituous liquors are much facilitated by the present mode of vending and removing the same; and it is, therefore, expedient to adopt more effectual regulations therein:

Contraband spirits.

I.—It is hereby ordered and declared, by His Excellency the Governor and Commander-in-Chief, that from the first day of the ensuing month of April, no persons shall retail any wines or spirituous liquors within this territory, without having first taken out a license for such purpose, according to the laws and regulations now in force in this territory respecting the same.

Licenses to retail.

II.—And it is further ordered and declared, by the authority aforesaid, that any person whatsoever who shall retail any wines or spirituous liquors without having first duly obtained a license for that purpose shall, upon conviction thereof by the oath of one or more credible witness or witnesses, before one justice of the peace, forfeit the sum of twenty pounds; and in default of payment

Penalty for illegal selling.

\* See also the proclamation of 26th January, 1811, ante, p. 491.

- 1811** thereof the magistrate before whom he or she shall be convicted  
**30 March.** may cause the same to be levied by warrant of distress upon his or her goods or chattels, or by commitment of his or her person unto gaol until the same be paid: Provided nevertheless that it shall and may be lawful for such convicting magistrate to reduce the said penalty to any sum not less than five pounds in such cases as to him shall seem meet.
- Half to** **III.**—And it is hereby further ordered and declared, by the  
**informers.** authority aforesaid, that one-half of such entire or mitigated penalty shall go to the person informing of such offence, and the remaining half thereof to the treasurer of the Police Fund, for the use of the said Fund.
- Limitations.** **IV.**—And it is hereby further ordered and declared that no person shall be convicted for any offence against this proclamation, unless he or she be prosecuted thereon before the expiration of three months after the commission of such offence.
- Definition of** **V.**—And it is hereby further ordered and declared, by the authority  
**retailers.** aforesaid, that every person who shall sell, or expose to, or offer for sale, any wines or spirituous liquors in less quantities than two gallons, shall be deemed a retailer of such wines and spirituous liquors within the meaning of this proclamation.
- Quantities** **VI.**—And it is hereby further ordered and declared, by the  
**allowed to** authority aforesaid, that from and after the first day of April, 1811, no person or persons whatsoever shall be entitled unto, or maintain any action or suit for, or recover either in law or equity any sum or sums of money, debt, or demands whatsoever, for or on account of any spirituous liquors or wines, unless such debt shall have been really and *bonâ fide* contracted at one time to the amount of twenty shillings, or upwards; nor shall any particular article or item in any account or demand for spirituous liquors or wines be allowed, where the liquors or wines delivered at one time, and mentioned in such item, shall not amount to twenty shillings value at the least, without fraud or covin, and where no part of the liquors or wines so sold shall have been returned, or agreed to be returned, directly or indirectly. And in case any retailer of wines or spirituous liquors, with or without a license, shall take or receive any pawn or pledge from any person or persons by way of security for the payment of any money owing by such persons for such wines or spirituous liquors, every such person offending herein shall forfeit and lose the sum of five pounds for each and every such pawn or pledge so taken, which said sum shall be recovered, levied, and applied as abovementioned, and the owner of such pawn shall have the same remedy for recovering the same, or the value thereof, as if it had never been pledged.
- Transit of** **VII.**—And it is hereby further ordered and declared that no  
**spirits.** wines or spirituous liquors shall be removed from one part of this territory to another, by land or by water, without being

accompanied with a proper permit, to be obtained as hereinafter directed, on pain of forfeiture of such wine and spirits, together with the casks, bottles, and vessels containing the same, and the horses, cattle, boats, and other carriages used in such removal or carriage thereof.

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30 March.

VIII.—And it is hereby further ordered and declared by the authority aforesaid, that when any dealer in, or retailer of wines or spirituous liquors, or any other person whatsoever, shall have any occasion to remove any wines or spirituous liquors (exceeding the quantity of one gallon) from any house or cellar, or other place in Sydney, or within ten miles thereof, or any part thereof, to any other place in any other part of the said territory of New South Wales, or any part thereof, he shall apply to the Assistant Superintendent of Police of the said town of Sydney, and upon satisfying such assistant that the wines or spirituous liquors intended to be removed have not been distilled within this territory or its dependencies, or within any part thereof; but that the same have been lawfully imported into the territory, and that the duties thereon have been fully paid and satisfied; and also that such wines and spirituous liquors are not intended to be removed to the premises of any person for the unlicensed and illegal retailing thereof by such person or any other, such Assistant Superintendent of Police shall and may grant a permit under his hand and signature for the removal of the same, in the following form:—

Permits for removal of spirits.

Sydney,                      day of                      1811.

Permit [name of the settler] to remove [quantity and kind of spirits and Form of  
wines] by land (or water, as the case may be) from his (or her) house or permit.  
premises (or from the house or premises of                      ), at                      , to the  
premises of [name of the buyer], situate at [name of the street, district, town,  
or farm where the buyer lives], between the hours of                      and                      this  
day (or between the hour of                      on such a day, and the hour of  
on such another following day), the said (wines or spirituous liquors) not  
having been distilled in this territory; but having been duly imported into  
this territory, and paid the customary duties thereon.

Assistant Superintendent of Police.

IX.—And it is hereby further ordered and declared that the said Assistant Superintendent of Police may (if he shall see fit), require any person whatsoever applying to him for a permit for the removal of wines or spirituous liquors, to take the following affidavit upon the Holy Evangelists, and the said Assistant Superintendent of Police is hereby empowered to administer the said affidavit:—

A statutory declaration.

Police Office, Sydney,                      day of                      1811.

I,                      , do hereby depose and swear that the (wines or spirituous liquors) now intended or proposed to be removed by me, to the best of my knowledge and belief, were not distilled or made in this territory, or within any part thereof; but that the same were, to the best of my knowledge and belief, duly and lawfully imported into this territory; and that the duties

1811  
30 March.

therefrom arising have been fully paid and satisfied. And I further depose and swear that the same are not intended to be removed into the possession of any unlicensed retailer or other person whatsoever, for the purpose of illegally retailing the same. So help me, God !

Sworn before me, at Sydney, this                      day of                      18                      .

Assistant Superintendent of Police.

Which said affidavit shall be in writing, and signed by such deponent with his name or mark, and filed among the papers of the Superintendent of the Police.

Price of  
permits.

X.—And it is hereby further ordered and declared that it shall and may be lawful for such Assistant Superintendent of Police to ask, demand, and have the sum of sixpence, of good and lawful money, for each and every permit so granted by him as aforesaid.

Hours for  
removal of  
spirits.

XI.—And it is hereby further ordered and declared that no wines or spirituous liquors shall be removed from any one part of the town of Sydney to any other part of the said town, or from or to any place within eight miles from the said town, unless between the hours of eight o'clock in the morning and four in the afternoon.

Spirits not  
to be taken  
into gaols.

XII.—And it is hereby further declared, by the authority aforesaid, that no permit whatsoever shall be granted for the removal of any quantity of wines or spirituous liquors into any gaol, prison, or house of correction within the territory of New South Wales, unless the party applying for the same shall produce a certificate, signed by the Principal Surgeon of the territory, or other person acting as such, specifying that such wines, or spirituous liquors, are for the use of a sick person in such gaol, prison, or house of correction, and the name of such sick person, and that the same are necessary for his or her health.

Penalty for  
gaoler

XIII.—And it is hereby further declared, by the authority aforesaid, that if any gaoler, or keeper of any gaol, prison, or house of correction within the territory aforesaid shall sell, use, lend, give away, or bring, or shall knowingly suffer any wines or spirituous liquors to be sold, used, lent, or given away in any such gaols or houses, or brought into the same (except as aforesaid), upon due conviction thereof before two or more magistrates, such gaoler or keeper shall forfeit the sum of fifty pounds, to be applied and levied as before mentioned, and shall also be removed from his said office of gaoler or keeper as aforesaid.

Penalty for  
the public.

XIV.—And it is hereby further declared, by the authority aforesaid, that if any other person whatsoever shall bring, or endeavour to bring, any wines or spirituous liquors into any gaol, prison, or house of correction, contrary to the form of this proclamation, such person shall, upon conviction before any one magistrate, be committed to prison for the space of six months, unless he shall

immediately pay down such fine, not exceeding the sum of twenty pounds, and not less than ten pounds, as the justice shall impose, one half of which said fine shall be paid to the person giving information of the offence, and the remaining half to the treasurer of the Police Fund for the use of the said Fund. 1811  
30 March.

XV.—And it is hereby further ordered that the gaoler or keeper of any prison, gaol, or house of correction within the territory aforesaid shall cause a copy of the three preceding clauses to be printed, or fairly written, and hung up in one of the most public places of his gaol, or house of correction, and renew the same from time to time, so that it be always kept fair and legible. Posters.

XVI.—And it is hereby further ordered and declared, by the authority aforesaid, that no permits whatsoever for the removal of any wines or spirituous liquors from the said town of Sydney, shall be valid, unless the same be granted by the authority and in the form described by this proclamation. Provided nevertheless that it shall be lawful for the resident magistrates of the township or district of Parramatta, Windsor, or Liverpool, or of such other districts where magistrates may be hereafter appointed to reside, to grant permits for the removal of any wines or spirituous liquors within their respective districts, subject to such regulations and conditions as have been hereinbefore described, and with such powers as have already been granted to the Assistant Superintendent of Police of the town of Sydney. And it is further ordered, by the authority aforesaid, for the clerk of such magistrate or magistrates to demand and have the sum of sixpence, of good and lawful money, for each and every permit by such magistrate granted as aforesaid. Form of permits.  
Regulations for the country.

XVII.—And it is hereby further ordered and declared, by the authority aforesaid, that if any person or persons shall knowingly, wickedly, and falsely take or swear the affidavit abovementioned, or procure or suborn any other persons falsely to take such affidavit, he, she, or they shall, upon conviction before a Court of Criminal Jurisdiction, suffer such punishment as is attached by law to the crime of wilful and corrupt perjury. Penalty for perjury.

XVIII.—And it is further declared, by the authority aforesaid, that if any person or persons shall knowingly obtain, or attempt to obtain by any false representations, any permit or permits for the removal of any wines or spirituous liquors, such person or persons shall, upon conviction before any magistrate, forfeit the sum of twenty pounds, to be paid to the treasurer of the Police Fund for the use of the said Fund; and in default of the immediate payment thereof, such person or persons shall be committed to prison, and there kept to hard labour for the space of six months, unless the same be before that time fully paid and satisfied. False pretences.

1811

## PROCLAMATION.

30th March, 1811.

30 March.  
Maintenance  
of public  
roads.

A turnpike  
erected.

WHEREAS the construction and preservation of safe and commodious highways is a matter of great and general importance; and tends greatly to increase commerce and promote civilization; and whereas large sums of money have been expended in order to render the public highway between the town of Sydney and the town of Parramatta perfectly safe and commodious, and still further sums will be occasionally required in order to keep and preserve such highway in a proper state of repair; and whereas it is highly reasonable and equitable that all costs, charges, and expences attending the same should be equally borne by those who daily participate in the numerous advantages and benefits resulting from the establishment and preservation of such public highways: It is, therefore, hereby ordered and declared by His Excellency the Governor and Commander-in-Chief, that from and after the tenth day of April, now next ensuing, the high road between the towns of Sydney and Parramatta shall be and the same is hereby declared to be a turnpike road, and all persons riding, leading, or driving any horses, mares, geldings, cattle, sheep, swine, mules or asses on the said road, or using any carriage, gig, chaise, cart, or waggon on the said road, or through the turnpike gates now established on the said road, or either of them, shall pay to the gatekeeper thereof, or his assistant, for the same, according to the following rate, viz. :—

		£	s.	d.
Table of charges.	For each and every head of horned cattle, the sum of ...	0	0	2
	For each and every score of sheep or swine ...	0	0	10
	For every single horse ...	0	0	3
	For every cart drawn by a single horse or bullock ...	0	0	4
	For every cart drawn by two horses or bullocks...	0	0	6
	For every cart drawn by three horses or bullocks ...	0	0	9
	For every cart drawn by four horses or bullocks ...	0	0	10
	For every waggon drawn by two horses or bullocks ...	0	0	10
	For every waggon drawn by three horses or bullocks ...	0	1	0
	For every waggon drawn by four horses or bullocks ...	0	1	2
	For every single-horsed chaise ...	0	1	0
	For every curricule with two horses ...	0	1	6
	For a four-wheeled carriage drawn by two horses ...	0	2	0
Exceptions.	For the same drawn by three horses ...	0	2	6
	For the same drawn by four horses ...	0	3	0

But it is hereby provided, that no person shall be liable to pay toll at any gate on the said road for any horse, beast, or carriage, more than once within the twenty-four hours. Provided also, that no person having paid the toll at any one gate on the said road shall be liable to pay toll at any other gate on the said road on the same day.

And it is hereby further declared, by the authority aforesaid, that no toll shall be paid at any turnpike gate on the said road in respect of carriages solely employed in carrying materials for the repair of the said road, or for going to or returning from such employment. 1811  
30 March.

And it is hereby further ordered and declared, by the authority aforesaid, that no person shall be liable to pay toll at any turnpike gate on the said road for or in respect of any horses, mares, geldings, horned-cattle, sheep, swine, or other beasts going to or returning from water or pasture, provided they shall not pass upon such road more than for the space of three miles in going to or in returning from water or pasture. Watering cattle.

And it is hereby further ordered and declared, by the authority aforesaid, that if the owner, or driver, or rider of any horse, cart, or carriage liable to pay toll, shall turn out of the said road in order to avoid the payment of such toll, and shall afterwards return and proceed upon the said road, he shall, upon conviction before one justice, by the oath of one witness, forfeit (if he be the owner) a sum not exceeding five pounds, nor less than twenty shillings; and if he be the driver or rider, and not the owner, he shall forfeit any sum not exceeding fifty shillings, nor less than ten shillings. Evading toll.

And it is further ordered and declared, by the authority aforesaid, that if any person shall take off any horse, or other beast of draught, from any cart, waggon, or other carriage, with intention to avoid the payment of toll for the same, he shall, upon conviction in such form as is above-mentioned, forfeit the sum of five pounds.

And it is hereby further ordered and declared, by the authority aforesaid, that if any person shall fraudulently or knowingly take, or attempt to take, the benefit of any exemptions from toll herein mentioned, not being legally entitled so to do, he shall, upon due conviction in the manner and form aforesaid, forfeit a sum not exceeding five pounds, nor less than forty shillings.

And it is hereby further ordered and declared, by the authority aforesaid, that if any person shall resist or make forcible opposition against any person employed in the due execution of this proclamation, or shall assault any collector of the tolls in the execution of his office, or shall pass through any gate, rail, chain, or fence without paying toll, or shall rescue any cattle, carriages, or other goods detained or distrained for the non-payment of toll, he shall forfeit a sum not exceeding ten pounds nor less than forty shillings, upon being convicted in such manner and form as is above-mentioned. Refusing to pay toll.

1811

30 March.

Detention of  
animals or  
vehicles.

And it is hereby further ordered and declared, by the authority aforesaid, that if any person liable to pay toll on the said road in respect of any horses, cattle, or carriages passing thereon, shall neglect or refuse to pay toll for the same to the collector or gatekeeper duly demanding the same, such collector or gatekeeper may hereby lawfully detain or distrain such horses, cattle, or carriages, or such of the goods contained upon or therein the same as he may deem adequate to the payment of such toll, until the same shall have been paid.

Offences and  
their  
penalties.

And it is hereby further ordered and declared, by the authority aforesaid, that if any person shall either by day or night wilfully or maliciously pull down, pluck up, throw down, level, or otherwise destroy any turnpike-gate, post, rail, wall-chain, bar, or other fence set up to prevent persons passing without paying toll, or any house erected for the use of such turnpike-gate, or shall main or otherwise violently beat or bruise any person there employed in the collecting of the toll, or shall rescue, or attempt to rescue, any person lawfully in custody for any of the said offences, he shall, upon conviction thereof before two or more magistrates, be publicly whipped, and sentenced to imprisonment and hard labour for the space of three years.

Penalties  
how  
enforced.

And it is hereby further ordered and declared, by the authority aforesaid, that all penalties and forfeitures imposed by this proclamation shall be levied by distress and sale of the goods of the offender by warrant of the justice convicting the offender, and that the same shall be paid half to the informer and half to the trustees and commissioners of the road for the use of the said road, and in case such distress cannot be found, and such penalties and forfeitures shall not be forthwith paid, such justice shall commit the offender to the common gaol for the space of six months, unless the said penalty or forfeiture shall be sooner paid: Provided, nevertheless, that no warrant of distress shall be issued for levying any penalty or forfeiture incurred by this proclamation until six days after the offender shall have been convicted, and an order made and served upon him, or left at his dwelling-house or last place of abode, for the payment thereof: Provided also that every forfeiture recovered on the information of any toll-taker, or other person employed therein, and receiving reward or salary for his or their services, shall be wholly applied to the use of the said road.

Limitations  
of actions.

And it is hereby further ordered, by the authority aforesaid, that all prosecutions commenced for any offence against this proclamation shall be commenced within three kalender months after the offence committed.

Exceptions.

And it is hereby further ordered and declared, by the authority aforesaid, that no toll or duty shall be taken by virtue of this

proclamation for any horses belonging to officers or soldiers upon their march or upon duty, or for any horses, cattle, or carriages actually and solely employed in the service of Government, or in carrying any sick or wounded soldiers. 1811  
30 March.

## GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 30th March, 1811.

THE providential subsiding of the late floods in the Hawkesbury and South Creek, which has now taken place without any very serious consequences, when compared with the destruction of grain and property of every kind which has of late years been attendant on the frequent inundations of those rivers, and of the Nepean, induces His Excellency the Governor to admonish the settlers contiguous to those rivers, in the most earnest manner, to beware of the recurrence of those calamities which have for many years past exposed the country at large to the imminent risque of a total destruction of grain and animal food. And as the only effectual way of guarding against those risques is the removing the stock-yards and residences of the settlers from their present insecure situations, His Excellency most strongly recommends to the settlers on the banks of those rivers to remove from thence to the high grounds in the several townships lately marked out for the respective districts under the influence of those floods. Those settlers who will avail themselves immediately of this salutary admonition, by removing their residences, stock, and farm-yards to the allotted townships,\* may depend on His Excellency's extending to them every reasonable assistance and indulgence in his power; whilst, on the contrary, such persons as will obstinately persevere in exposing themselves, their families, and their property to the destruction necessarily attendant on their residing within the influence of the inundations of those rivers, having themselves totally to blame for any misfortunes of that nature which may attend them, need not look to Government for relief, after being thus called upon to adopt the necessary means of guarding against them. As the season for sowing wheat for the next harvest will be over in the course of the month of June, the settlers will then have leisure from their farming avocations to employ themselves in the erection of suitable buildings for their future residences in the new townships; and His Excellency trusts and expects that they will avail themselves of that opportunity to place themselves and their families in those situations of comfort and security which it has been His Excellency's most anxious wish to provide for them, and to which they are now, for the last time, required to repair with all convenient expedition.

Floods in the Hawkesbury.

Losses of settlers.

Advice to farmers.

Government will not help the inactive.

\* See Government and General Order of 15th December, 1810 (ante, p. 460), in which Macquarie proclaimed the establishment of the towns of Windsor, Richmond, Pitt Town, Wilberforce, Castlereagh and Liverpool.

1811

31 March.

Shipping—  
inwards and  
outwards.

## SHIPPING RETURN.

Report of Ships and Vessels Entered Inwards and Cleared Outwards at Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of January to the 31st day of March, 1811.

Date of entry.	Name of the Vessel.	Master.	Build.	No. of		Where built.	Registered.	Name of the Owners.	From whence.	General Cargo.	Duty and Fees of Entry.		
				Tons.	Men.						£ s. d.	£ s. d.	
INWARDS.													
1 Jan.	Aurora ....	O. F. Smith.....	American	180	617	Virginia ..	New York	Thos. Wolden & Co.	Sea Fishery ....	100 seal skins and 140 gall's elephant oil.	2	5 6	
1 "	Active ....	W. P. Richardson ..	"	206	418	Salem .....	Salem ..	Jas. Cook & Co. ....	Bourbon .....	General merchandise	110	1 0	
8 Feb.	Santa Anna ..	William Dagg .....	Foreign	220	21	Prize .....	London ..	W. Dagg & Co. ....	Fishery .....	45 tons of sperm oil for the London market.	6	11 6	
18 "	Eagle .....	John Mackey .....	Plantation	130	221	Calcutta ..	Calcutta	Fairlie, Ferguson & Co.	Calcutta .....	The London market.	1,901	14 1	
20 "	Concord ..	Thos. Garbutt .....	British	150	818	Dartmouth	London ..	Alex'r Birnie & Co.	Rio and Cape of Good Hope.	General merchandise	123	13 8	
23 "	Union ....	John Nichols .....	Plantation	300	28	Pegu .....	Calcutta	Loane & Co. ....	Cape of Good Hope	Permitted to enter only to wood and water and not to trade.	4	16 0	
5 Mar.	Campbell Macquarie	Rich'd Siddons. ....	"	248	50	" .....	"	Alexander & Co. ....	Calcutta .....	General merchandise	312	17 10	
12 "	Arabella ....	Jos. Leigh .....	Foreign	240	36	America ..	"	Chas. Blayney ....	" .....	"	783	6 0	
												\$3,208	10 7
When cleared.													
Wines and Spirits received in the colony of New South Wales, from the 1st day of January to the 31st day of March, 1811, viz:—English—Rum, 70 casks, equal to 10,010 gallons; wine, 8 casks, equal to 388 gallons. Concord—Rum, 3 casks, equal to 240 gallons; brandy, 5 casks, equal to 375 gallons; gin, 11 casks, equal to 119 gallons; Campbell Macquarie—Rum, 8 casks, equal to 1,150 gallons; gin, 24 casks, equal to 160 gallons; wine, 6 casks, equal to 280 gallons. Arabella—Rum, 38 casks, equal to 2,857 gallons; gin, 8 casks, equal to 40 gallons; wine, 6 casks, equal to 280 gallons.													
OUTWARDS.													
9 Feb.	Aurora ....	O. F. Smith.....	American	180	636	Philadelphia	New York	Thos. Woolden & Co.	Where bound.	2,000 bushels maize or Government	£ s. d.	0 5 0	
13 "	Active ....	W. P. Richardson ..	"	206	418	Salem .....	Salem ..	James Cook & Co. ....	River Derwent	Ballast .....	0	5 0	
24 "	Indian ....	And. Barclay .....	British	522	1650	Durham ..	Durham	G. G. H. Munney .....	Pelee Islands	50 tons of coal and 46 tons of elephant oil	4	19 6	
7 Mar.	Union ....	John Nichols .....	Plantation	300	28	Pegu .....	Calcutta	Loane & Co. ....	Calcutta .....	"	1	6 0	
8 "	Concord ..	Thos. Garbutt .....	British	150	617	Dartmouth	London ..	Alexander Birnie & Co.	Penang	Ballast .....	0	5 0	
												7	0 6

Naval Office, Sydney, New South Wales, 31st March, 1811.

H. GLENHOLME, Naval Officer.

NICHOLAS BAYLY'S HOUSE.

1811

1st April, 1811.

1 April.

I HEREBY relinquish all my right, title, and claim to the house I now occupy to His Excellency the Governor, on the following terms :—

Bayly's house.

1. That the Governor confirms and consolidates all my grants.
2. That the Governor gives me the use of the house and premises for twelve months from this date, on which day I will resign it.
3. That the Governor shall give me a town lease in Charlotte-square.
4. That the Governor gives me 500 gallons of good Bengal rum.

NICHOLAS BAYLY.

I APPROVE of, and agree to, the above conditions, in the manner proposed by N. Bayly, Esqr.

Government House, Sydney,  
1st April, 1811.

L. MACQUARIE.

GOVERNMENT PUBLIC NOTICE.

Secretary's Office, Sydney, 6th April, 1811.

6 April.

WHEREAS the inhabitants of Sydney, notwithstanding the General Orders published on the 11th of August and 15th of September last,\* continue to be most seriously annoyed, and the streets rendered dangerous to horsemen and others, by the constant strolling of pigs, goats, and other animals through them, and the water of the tanks to be grossly abused by those animals, as well as by the filth flowing from various illegal establishments of slaughter-houses, and others no less offensive, on the banks of the stream which supplies those tanks, it is now deemed expedient to republish the said Orders, that no plea of ignorance thereof shall be in future set up; and all constables and peace officers are called upon to carry the same into the fullest effect, by seizing all animals found trespassing in the streets, or about the tanks, and to give information of all nuisances specified more particularly in the General Orders of the 15th September last.

Domestic animals roving in streets.

JOHN MCARTHUR TO HIS WIFE.

London, 6th April, 1811.

I HAVE postponed writing, my beloved wife, until I am fearful of doing it any longer lest the ships should sail, hoping that I should have it in my power to give you some information of the probable result of the arduous and unfortunate business which has torn me from my home; but although I have been led to expect, for near a month past, that Colonel Johnston would be immediately brought to trial, it is not yet done. We have, however, been told by the

The eve of Johnston's trial.

\* Ante, pp. 402 and 410.

- 1811 Deputy Judge-Advocate that a warrant for the trial has been  
6 April. before the Prince Regent several days, and that when it is signed  
a day for the trial will be fixed, and the Colonel will at the same  
time be furnished with a copy of the charges. I cannot, however,  
hope that the ships will be detained long enough to give me an  
opportunity to convey to you the long expected, and, to us,  
important issue of the trial. That I am anxious, deeply anxious,  
I am sure I need not tell you ; and I feel that anxiety increased  
by the apprehension that you, my beloved Elizabeth, are suffering  
more keenly from the same cause. Would to God the affair were  
terminated, for such a state of suspense is more tormenting than  
the worst that could happen.
- \* \* \* \* \*
- Macarthur's Your and the dear girls' welcome letters by the Porpoise and  
anxiety. Concord all arrived safe. The bills were all right and were all good.  
I trust in God your next will contain a continuance of the same  
good accounts of your own health, and of the complete recovery  
of my beloved girl. I need not add that in my prayers for your  
and Elizabeth's health, dear Mary and my sweet Emmeline are not  
forgotten. Dearly beloved beings, when shall I see and embrace  
you all again. My own health, with the exception of an excessive  
nervousness, which all my rigid temperance does not enable me  
to overcome, I have the pleasure to assure [you] is very good,  
and I entertain hopes, when I have done with Mr. Bligh, and my  
mind is a little tranquillised, I shall have no exceptions to make.
- Hannibal's Hannibal's letters will acquaint you he is in London looking  
Macarthur. out for a small vessel in which I propose to despatch him with an  
adventure of wines, porter, &c. ; I hope I shall be able to despatch  
him in about a month or six weeks. He is quite well, and left  
your mother and sister so about three weeks since ; but of his visit  
to them he will give you the particulars himself. I hope you got  
the supply of articles safe which I sent you in the Providence, in  
the care of Major Grills. I have everything provided which I  
think you can want, to send by Hannibal. I am anxiously looking  
out for arrivals, and am, as you will suppose, anxious to learn  
what you have been enabled to do towards recovering the money  
from Lord, Kable, and Underwood. I much fear you must have  
had more trouble than I could wish should perplex you. Hannibal  
will bring with him accounts and letters to Mr. Blaxall that will,  
I hope, enable him to settle everything with him to our mutual  
satisfaction. Poor old Jamieson died last winter ; he had never  
been in health from the time of his arrival in England. In  
speaking of his death I am unpleasantly reminded of the necessity  
I am under to acquaint you of the death of another person, in  
whose life, as I was most interested, I have had the more reason  
to deplore his sudden removal from this world. You, my beloved  
wife, and my dear girl, Elizabeth, will both feel the sincerest
- Macarthur's  
messages to  
his family.
- Hannibal  
Macarthur.
- Monetary  
matters.
- Dr. Jamieson.

sorrow when you are acquainted that it is my worthy old friend Thompson to whom I allude. He died on the 11th of last January, after an illness of a few days. Poor old man, he was a friend whose loss I shall not easily supply. Mrs. Thompson, Mrs. Plummer, Mrs. E. Lee, Mrs. Thomas Thompson, and Mr. and Mrs. W. Thompson and their children, are all well, and much gratified at Elizabeth's letters. They will answer by Hannibal. She ought to write to Mrs. Thomas Thompson, whose great attention to her when in England she cannot have forgotten. It is impossible to express the obligations I owe to almost every individual of this family for their attentions to me. Oxley will no doubt write you what his plans and expectations are; but I am sorry to say that I am not so sanguine as he is inclined to be. I am apprehensive he has but little chance of procuring a civil appointment in the colony, and no intention is at present entertained of sending out new King's ships. Captain Porteous I have seen but seldom since his return, and of late I have scarcely heard of him. Men feel very differently towards each other in this bustling place to what they do in the solitude of New South Wales.

1811

6 April.

Dr. Thompson.

Dr. Thompson's relatives.

John Oxley.

It gave me great pleasure to hear you had returned to Parramatta. All your arrangements have my perfect approbation; but how does it happen that you have never once sent me a return of the stock?

Macarthur's farm.

Your accounts of Colonial affairs have given me great satisfaction in some points, and equal pain and surprise in others. If the cause of the latter sensation be not removed long ere this, I greatly fear New South Wales will be a comfortless abode for me. Your next letters will, I hope, remove my apprehensions. God grant they may, for although there are many difficulties to contend with there, there are not fewer here, as some of our unfortunate friends who have returned Home have long since discovered. Every necessary of life is so advanced, and the expenses and taxes of every kind are so heavy, that I do not think it would be possible for you and I and the three girls to live in this country in any kind of respectability, and yet with the most rigid economy, under £800 a year.

News from the colony.

Cost of living.

The expenses of the boys must be set down at £500 more, and I fear, after the unfortunate winding-up of my late mercantile speculation, we should not find it very easy to realise an annual income of £1,300 or £1,400. Bearing on this, more in my letters by Hannibal.

Macarthur's income.

\* \* \* \* \*

Say everything to the dear girls that can assure you and them of my affection, and believe me,

Dearest Elizabeth,

Your ever affectionate,

JOHN MACARTHUR.

1811

MARTIN MASON (?) TO LORD ELLENBOROUGH.\*

23, South Moulton-street,

8 April.

My Lord,

London, 8th April, 1811.

I have the honor to address your Lordship officially on a business which I feel it a duty to my country, as well as to myself, thus to bring forward.

It may be necessary to premise that I have already laid the circumstances before His Majesty's Principal Secretary of State for the Colonies, &c., Lord Viscount Liverpool.

Charges  
against  
Foveaux.

I, therefore, beg to exhibit before your Lordship the following charges of murder, cruelty, treason, and oppression against Lieutenant-Colonel Joseph Foveaux, late Acting Lieutenant-Governor of Norfolk Island, in New South Wales :—

Hanging  
without trial  
at Norfolk  
Island.

1. Lieut.-Colonel Joseph Foveaux, on the 13th day of Dec'r, 1800, whilst Acting Lieut.-Governor of Norfolk Island, did deliberately order J—— W—— and P—— M—— to be hanged without trial or without proclaiming martial law, and did himself personally assist at their execution. On the strong remonstrance of the Judge-Advocate† that the men were murdered, they were dug out of their graves, and their pockets searched to find matter of accusation against them.‡

Punishing  
soldiers  
without  
Court-  
Martial.

2. During his said government, he of himself, and without a Court-Martial or any forms of trial to sanction even the suspicion of crime against the parties, did order four soldiers of the New South Wales Corps, viz., T—— T——, J—— J——, J—— M——, and P—— M——, to have their hair cut off, to be confined in irons in the common gaol with the most abandoned convicts, compelled them to labor loaded with irons, dismissed them from His Majesty's service, and left them as exiles on that distant colony.

Usurping  
Govern-  
ment.

3. On the 30th of July, 1808, the said Foveaux usurped the Government of New South Wales, assuming to himself the power of life and death over the inhabitants ; and under this illegal constitution he caused the following persons to be executed, viz., J—— M——, C—— F——, J—— C——, and H—— D——.

Imprisoning  
civilians.

4. On the 3rd December, 1808, he did imprison several peaceable subjects in a cell ten feet by six in Sydney Gaol, among whom were Jno. Smith, Jno. Helles, And'w McDugal, and myself, for refusing to renounce their allegiance to the King in his legal representative, and acknowledge him the legal Governor.

Witnesses.

The necessary witnesses are now in England, and ready to prove all the above charges when legally called upon so to do. Trusting to your Lordship's regard for public justice, I pray that you will

\* Lord Chief Justice.

† Thomas Hibbins, the Judge-Advocate, was one of Foveaux's advisers in this matter. (See an account of the circumstances, vol. iv, p. 206.)

‡ Lord Hobart approved of Foveaux's action—vol. iv, p. 688.

be pleased to honor me with some communication for my guidance in a matter of so much importance, and that His Majesty's Government may not be dishonoured by such offender escaping with impunity.

1811  
8 April.

I am, &c.\*

#### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 13th April, 1811.

13 April.

WHEREAS, notwithstanding a commission lately issued by His Excellency the Governor for the inspection and adjustment of the various weights and measures by which articles are vended in the town of Sydney, there is reason to believe that certain persons continue to make use of unstamped and fraudulent weights and measures,—this is therefore to give notice that any persons who shall in future be detected in imposing on the public by false weights and measures, will be prosecuted with the utmost rigour of the law; and in order to leave no plea of excuse for using unstamped weights and measures, the merchants and shopkeepers are directed to advert to the ninth and tenth articles of the Government Regulations and Orders on this subject, published on the 20th of October last,† whereby they will find that the standard weights and measures are placed in the hands of the clerk of the market, who is authorised to adjust all such scales, weights, and measures, as may be brought to him for that purpose; and who is likewise authorised to inspect, at such times as he shall think proper, all such scales, weights, and measures, as may be in use in the town of Sydney, and to seize such as may be found fraudulent or defective, and to prosecute the owners before a Bench of Magistrates.

Weights and measures.

The clerk of the markets.

All shop-keepers or venders of any articles in Windsor, Parramatta, Liverpool, or elsewhere within this territory, are hereby called upon and required to bring into Sydney, with all convenient dispatch, their scales, weights, and measures, to get them adjusted and duly stamped by the clerk of the market, as the same penalties will be enforced against them in future as against those resident in Sydney, when convicted of selling by unstamped, false, or unjust weights and measures.

Country shop-keepers.

#### GOVERNMENT PUBLIC NOTICE.

Secretary's Office, Sydney, 20th April, 1811.

20 April.

HIS Excellency the Governor is pleased thus to inform the public that he is at present occupied in revising and examining the grants and leases of land which had been made to different persons during the late usurpation of the Government of this country, and which grants and leases had been declared null and void by His

Land grants made by Johnston, Foveaux, and Paterson.

\* This letter is without signature, but was apparently written by Martin Mason. See his letter of 26th January, 1811, addressed to Earl Liverpool, ante, p. 490.

† Ante, p. 432.

1811  
20 April.      Excellency's proclamation, on his assuming this government, on the first day of January, 1810.\* It having been His Excellency's intention, however, from the commencement, to make out anew such of those grants and leases as should appear to have been made to industrious and deserving characters, free of partiality or party motive, notice is hereby given that such grants and leases as come under the above description will be ready for delivery at my office on Friday, the 24th day of May next ensuing, and the following days, until the whole of such renewed grants and leases shall be issued to those persons for whom they are intended. Such persons as do not call for and take out their grants or leases within two months from the said 24th day of May, will be considered as having entirely relinquished all claim and title thereto, and those lands will be granted or leased to other persons.

Cattle and  
sheep for  
settlers.

His Excellency the Governor is also pleased to give notice that all those persons who have applied for and obtained His Excellency's promise of a portion of horned cattle and sheep on the terms of the Government and General Orders of the 15th of December last,† may receive the number so promised them, on their executing the usual and prescribed bonds for them. These bonds will be ready for their executing them at the Commissary's office in Sydney on Monday, the 26th day of May next, and for the five following days; but no person need make application without giving at that time good and sufficient security for the value of the said horned cattle and sheep.

JOHN MACARTHUR TO HIS WIFE.

21 April.

Clapham, 21st April, 1811.

My dearest, best beloved Elizabeth,

Letters from  
Sydney

Your two welcome packets, forwarded in Mr. Wilson's box, were delivered to me yesterday, and late last night I fortunately heard that the Gambier is still detained at Portsmouth. It is now Sunday, consequently no post goes out; but as I am anxious to acknowledge the receipt of your letters, I sit down and prepare to forward this by the coach to-night, in hopes my agent may get it in time to put on board the Gambier. How shall I reply to what you have written, my beloved Elizabeth, or how collect my ideas into any settled form? Every paragraph increases my amazement, and every circumstance you relate adds to the perplexity of my mind. God alone knows how such a state of things as you describe may terminate, or how operate upon our affairs. Would to God I could withdraw you all from the colony; but it is fruitless to indulge wishes, or even to form plans of future proceeding, whilst we are hurried forward by a course of events that seem to set human prudence and all ordinary calculation at defiance. I am interrogated on all hands about the affairs of the colony, and know not in what way to reply, altho' I cannot but see that the

Affairs in  
New South  
Wales.

\* Ante, p. 255. The proclamation was dated 4th January, 1810.

† Ante, p. 468.

appearance of mystery or concealment gives birth to surmises more pernicious in their effect than the disclosure of all you write, and more mischievous than all that is whispered. Is it possible, it is said, that Governor Macquarie can associate with, and bring to his table, men who have been convicts—who have amassed fortunes by the most infamous frauds—and have, and continue to set, the most shameful examples of dissoluteness and vice? I entreat people to suspend their judgment until he shall have been a little longer in the colony—until it shall be seen whether, when he has discovered the characters of these people, he will not give them up. I read them parts of your different letters, wherein you speak of the Governor and Mrs. Macquarie's character. I repeat the praises you bestow on them for their benevolence, their universal kindness—in short, all the strong things you say in their behalf. I urge that the Governor has been misled, and involved in a mist, through which it is impossible he yet can see, by the artifice and falsehood of some persons by whose opinions he would naturally be guided on his first arrival. But I see nothing I can say convinces, and that many leave me, half inclined to think I am an advocate for measures which fill my heart with dismay and grief. I yesterday taxed Colonel Foveaux, and indeed have done so more than once, with being the principal cause of all the mischief that hangs over the colony. But he steadily denies the fact, and, with matchless effrontery, maintains that he cautioned Governor Macquarie respecting Thompson, and particularly against Lord. So contradictory, so strange, are the events which have passed in the colony, that I cannot expect belief when I am questioned about its affairs; and yet how can I pretend ignorance, or how refuse to answer the questions that are proposed to me by people of consequence, whose support affords me the only little prospect of preservation there is for you, our children, and myself. In truth, I know not how to act, or what to say, and the more I think the more distracted and puzzled do I feel. In the midst of all this gloom it is no slight consolation to me, my beloved wife, to learn that you and my dear girls are so well. I pray incessantly that Elizabeth may once more be restored to perfect health; dear girl, what a sufferer has she been. James and William now sit by my side. They have been with me a week for the Easter holidays, and return to school to-morrow. James promises to answer Mary's letter by Hannibal. They are both in excellent health, and bid me say everything for them that is dutiful and affectionate. I think James is, without exception, one of the best-disposed boys I ever knew. William is also a good boy, but he has not the steadiness of James; their characters are quite opposita. John was well on the 11th; I expect him to leave Glasgow to-morrow, and to be in London about this day week. He will spend a day or two with our friend Colonel Campbell before he quits Scotland.

1811

21 April.

Macquarie  
and the  
emancipistsThe Govern-  
nor and his  
wife.Colonel  
Foveaux.Perplexing  
reports from  
New South  
Wales.Macarthur's  
children.

- 1811 I received a short letter from Edward last week from Sicily, dated  
21 April. 7th February. He speaks of other letters that are not yet arrived,  
Edward sent by private conveyances. He was in good health and excellent  
Macarthur. spirits. His regiment is not to leave Sicily, as was expected, Sir  
John Stewart having declined, or rather refused, it is said, to part  
with any of the force under his command. The newspapers say  
he is to be superseded in consequence. Edward informs me that  
the greater part of his time was occupied in studying the Italian  
language, in which he had made great progress. I know not how  
I shall forward the letters you have sent for him ; they would ruin  
him in postage. You must think of this in future, and put no  
covers on your letters. The postage on every sheet is 3s. 6d., and  
large paper is charged no more than small. . . . .
- Financial What shall I say to you about the returned bills, or how at such  
matters. a distance advise ? In consulting with Mr. Best, I am satisfied  
you have done what is most prudent, and as it is probable you  
must have determined on some plan of proceeding long ere this, I  
can only hope that your own good sense, aided by what advice  
Mr. Best gives you, may have led to the recovery of some part of  
the large amount these worthless men stand indebted. Do not,  
my beloved wife, deceive yourself or make exceptions in favour of  
any one of them ; they are alike unprincipled. I shall, as soon as  
possible, draw up a statement of the case and bring it before the  
Attorney-General and Sir Samuel Romily for their opinions. If  
nothing has been settled, the opinion of two such eminent lawyers  
may have weight in the colony. . . . .
- Johnston's Need I tell you I write with a mind much disturbed ; it speaks  
trial. for itself, and in addition to the distraction I feel, I am interrupted  
by people to whom I cannot deny myself. I know not when  
Colonel Johnston's trial will commence ; he is in arrest on a charge  
of mutiny. Our counsel give us hopes of victory ; but I know  
not what to think. Atkins is nowhere to be found, and his  
written evidence will not, I fear, be admitted. The other party, I  
suspect, have been somehow instrumental in smuggling him away,  
well knowing that his testimony would be most powerful against  
them. All the evidence who are to support Bligh receive daily  
pay from Government, many of them (among the number Devine)  
a guinea a day ; they are all in high spirits, or affect to be so. I  
say affect, for they are well aware of the strong tide of public  
prejudice which runs against them, and that they and their chief,  
Mr. Bligh, is universally execrated. Sir Joseph Banks certainly  
supports their cause with all his interest.
- Sir Joseph Banks. I have this moment received a letter from Portsmouth, acquaint-  
ing me that a Mr. Lawson is endeavouring to procure a passage in  
the Gambier, describing himself as a settler. If it be Lieutenant  
Lawson, as I think it must, his plan is to smuggle himself away
- Lieutenant Lawson.

from the impending trial.\* If he succeeds it will be a death-blow to our cause. I shall write directly to the captain of the *Gambier*, and hope to prevent the flight of the dastard; but if I do not succeed, and he get off in her, do not suffer yourself to be needlessly alarmed—all may end well. How he may account for his return to the colony it is impossible to say; certain it is he goes without the knowledge of Government, as I yesterday saw the Judge-Advocate's summons directing him to attend us on evidence. 1811  
21 April.

All your bills transmitted by the *Porpoise*, Captain Birnie, and by the *Atalanta*, have been safely received, and all but the last are paid. I do not doubt they will likewise be paid when due. Bills from Sydney.

Excuse this wretched scrawl. Had I attempted method I could not have written a line. Assure my beloved girls of my unabated affection, and believe me, my own dear Elizabeth,

Your ever affectionate husband.

I see I have omitted to notice the death of Thompson.† I wonder I did, for I think it an earnest of the interposition of Providence to save the colony from utter ruin. Never was there a more artful or a greater knave. How, how could Governor and Mrs. Macquarie be imposed upon as they have been? I think the last stroke, of leaving the Governor part of his property is by far the deepest he ever attempted, whether I view it as an act done in contemplation of death, or in expectation of raising himself to higher favour should he live. I have a letter from Mr. Blaxcell by the *Atalanta*. I hope he will get the accounts, I sent him by the Providence. I fear the loss of the *Boyd* will involve him in serious difficulties. She was not insured for a penny, and all Lord's bills, endorsed by him, I am told, gone back. Hannibal will bring duplicates of any papers connected with his accounts. Andrew Thompson.  
Garnham Blaxcell.

\* \* \* \* \*  
I expected Hannibal and Oxley with me this morning; but something has prevented them. They were both well last evening.  
God bless and protect my Elizabeth.

\* \* \* \* \*  
Once more adieu, prays

Your ever affectionate

McARTHUR

#### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney,

Saturday, 27th April, 1811.

27 April.

THE appeals from the decisions of the Court of Civil Jurisdiction to His Excellency the Governor as Judge of the High Court of Appeal will be heard in the order in which they have been lodged Appeals.

\* According to Kemp's letter of 14th March, 1811, ante, p. 505, Lawson was then in England. He left, however, by the *Admiral Gambier*, as surmised by Macarthur; with him went Brabyn and Bell, both of the 102nd.

† This was Andrew Thompson, who had been Bligh's farm bailiff at the Hawkesbury; he died 22nd October, 1810.

1811 at the Secretary's office, on Monday, the 13th of the next month  
 27 April. of May, at eleven o'clock in the forenoon, at the Government  
 House; and all persons concerned are directed to attend at the  
 time and place above-mentioned.

Spirits. The whole of the spirits recently imported in the American ship  
 Milwood, and intended for sale in this colony, are to be landed and  
 lodged in the King's bonded store, on Wednesday next, 1st May, for  
 the purpose of being gauged and ascertaining the duties thereon.

Distribution of spirits to officers and settlers. The following distribution of spirits at twelve shillings per  
 gallon, including duty, will be made to the civil and military  
 officers, &c., &c., on Monday, the 6th of May, and on the five  
 following days, at the bonded store, for ready money, in specie,  
 store receipts, or Paymaster's notes, viz. :—

To the officers, civil and military, each 20 gallons.

To gentlemen settlers, or settlers of the first class, and the wives  
 of absent civil and military officers, and gentlemen settlers,  
 each 20 ditto.

To publicans in Sydney and out-settlements holding spirit licenses,  
 each 15 ditto.

To superintendants, storekeepers, principal clerks, schoolmasters,  
 head constables, and jailers, &c., each 10 ditto.

To town and district constables, and overseers of gangs, &c., &c.,  
 each 5 ditto.

To free settlers (who came such to the colony) of the second class,  
 each 5 ditto.

As the Commissary will be furnished with corresponding lists  
 of the names of the above descriptions of persons, civil and mili-  
 tary, by which he is to be guided in making the present distribu-  
 tion, all applications for spirits are accordingly to be made direct  
 to the Commissary or storekeeper, and not to the Governor, as  
 has been the practice heretofore.

#### CAPTAIN FLINDERS TO SECRETARY CROKER.\*

30 April.

Flinders's  
 journal.

Sir, London, 30th April, 1811.

My Lords Commissioners of the Admiralty having been  
 pleased to direct the Commissioners of the Transport Office to  
 write to the French Government for a volume of the journal of  
 my Voyage of Discovery which was detained by General De Caen,  
 and also to do away the parole which I was required to sign before  
 quitting the Isle of France, and the answer of Monsieur Rivière,  
 Chief of the Fifth Division, as transmitted to me in your letter of  
 1st February ultimo, being that "His Excellency had caused the  
 Captain-General of the Isle of France to be applied to upon the  
 subject, and that the result would be communicated so soon as an  
 answer was obtained";—I have to state that General De Caen is  
 now himself arrived in France, and that the journal in question is

\* Of the Admiralty.

of importance to the making out the account of my late voyage for publication, agreeably to their Lordships' directions.

1811

30 April.

I have, therefore, to request you will be pleased to move their Lordships to order the renewal or enforcement of the application formerly made to the French Government, lest, from the French Marine Minister's neglecting to demand the journal immediately, General De Caen should conceive he might destroy it with safety—an act which I believe him both desirous and capable.

General  
De Caen.

On my arrival at the Cape of Good Hope in July last, I wrote to Vice-Admiral Bertie, requesting "that if any occurrence should put General De Caen within his power, he would be pleased to demand my journal from him, and cause it to be transmitted to the Admiralty Office"; but on the capture of the Isle of France, five months afterwards, it should appear that the tumult of events caused it to be forgotten.

I have, &amp;c.,

MATTW FLINDERS.

LIEUTENANT-COLONEL FOVEAUX TO EARL LIVERPOOL.

64, Charlotte-street, Fitzroy-square,

My Lord,

1st May, 1811.

1 May.

I beg leave to lay before your Lordship a paper called *The Harp*,\* containing various assertions, evidently fabricated to create at this time an undue impression against the officers of the 102nd Regiment, with a view to the impending Court-Martial, and proceeding, doubtless, from a quarter materially anxious as to the result of the investigation of the said Court.

A newspaper  
article.

In conformity to the advice I have received from persons eminent in the law, I request your Lordship's particular notice to the paragraph headed with the words, "Abuses in New South Wales," page 342, No. 1, which has reference to the execution of two convicts, notorious for sedition in Ireland as well as at Port Jackson, that took place upwards of ten years ago at Norfolk Island, when I had the honor to command there; and to request your Lordship will be pleased, if you should see no objection, to direct a prosecution to be instituted on the part of the Crown against the persons legally responsible for the said publication; my conduct on the occasion alluded to having, after a full consideration of the critical circumstances under which I was compelled to act with the utmost promptitude, obtained the perfect approbation of the then Governor of New South Wales (Captain King) and the official thanks of your Lordship's predecessor, Lord Hobart—as contained in the inclosed extract of his letter.†

A charge  
against  
Foveaux.

\* The enclosure has been separated from its covering letter, and is not available.

† The extract enclosed has been separated from the covering despatch. It is, however, evidently taken from Hobart's despatch to Governor King, of 30th January, 1802, which reads as follows:—"I desire you will take the earliest opportunity of communicating to him (Foveaux) my perfect approbation of his promptitude and vigour in suppressing the dangerous insurrection on the point of breaking out there, and that you will exhort him to persevere in the same firm and vigilant course."—Vol. iv, p. 688.

1811  
1 May.  
—  
Asks for an  
inquiry.

Your Lordship will forgive me for earnestly entreating your earliest decision on this request, as, if circumstances should not appear to admit of my obtaining the protection of Government on the present occasion, it will follow that I must immediately take other steps to vindicate my character previous to the meeting of the Court.

An error.

It may not be superfluous to add that the 14th of December, 1800—and not 1808—was the day on which the execution took place. The 13th of December—the day named—had been selected by the mutineers for carrying their murderous intentions into effect, which event was only prevented by a difference of opinion amongst themselves.

The whole of the proceeding was approved, a statement in writing prepared and signed by the Judge-Advocate, Hibbins, as it was also unanimously urged by the officers, civil and military, of the settlement. A copy of the said document, of which the original is in my possession, was forwarded to Government at the time.\*

I have, &c.,

J. FOVEAUX.

#### GOVERNMENT AND GENERAL ORDER.

11 May.  
Country  
burial  
grounds.

Government House, Sydney, Saturday, 11th May, 1811.  
THE respective burial grounds which were some time since marked out for the accommodation of the settlers in the several townships of Liverpool, Windsor, Richmond, Pitt Town, Castlereagh, and Wilberforce having been lately consecrated by the Principal Chaplain, His Excellency the Governor is pleased to give this public notice thereof; and at the same time directs and commands that in future all settlers and others resident within those townships, or in their respective vicinities, shall cease to bury their dead as heretofore within their several farms, and shall in a decent and becoming manner inter them in the consecrated grounds now assigned for that purpose in their respective townships.

Procedure  
in case of  
death.

It is further ordered that when a death shall happen, notice of the event shall be immediately given to the constable of the district wherein it has occurred; and the constable receiving such information is hereby directed to communicate the same with the least possible delay to the nearest resident chaplain, in order that he may attend and perform the funeral service. Any neglect of these orders will be severely punished. It being a sacred duty, incumbent on all, to guard and protect the remains of their deceased friends from every unnecessary exposure, it hence becomes necessary that the several consecrated burial grounds should be speedily inclosed in a decent manner; and His Excellency the Governor trusts and expects that the settlers themselves will feel the propriety of immediately entering into a subscription for the

\* A copy of this document will be found printed on p. 286 of vol. iv.

enclosing of them, either by a good wall or strong pallisadoes. In order to the carrying this measure into the more immediate effect, His Excellency is pleased to say that he will contribute, on the part of Government, ten pounds sterling towards the enclosure of each of the aforesaid consecrated burial grounds.

1811

11 May.

Enclosing  
fences.

The education and instruction of the youth of both sexes being an object of the utmost importance, as laying the foundation of many advantages to the rising generations, which in a state of ignorance they would be incapable of benefiting by, the parents and heads of families are strongly recommended to take this subject into their most serious consideration ; and His Excellency exhorts all those residing within the foregoing districts to enter cheerfully and liberally into a subscription for the erecting of school-houses within their respective districts, and in that respect follow up the very laudable example already set before them by the inhabitants of the townships of Liverpool and Richmond, an example which His Excellency feels happy in thus publicly giving his approbation of. His Excellency is also pleased to say that, in furtherance of these highly necessary establishments, he will make a donation of twenty-five pounds sterling on the part of Government, for the erection of a good and substantial school-house in each township.

Education of  
the young.

During the course of a visit which His Excellency lately made to some of the distant settlements, he was extremely concerned to observe in many instances a most shameful and disgraceful profanation of the Sabbath, and a total disregard to the common decencies of civilized life. In order, therefore, to check the further continuance of such evil habits, His Excellency hereby strictly orders and commands that no description of labour, or work of any kind (excepting such only as may be absolutely work of necessity), shall be carried on in future on Sundays in any part of this territory ; and all magistrates, constables, and other peace officers are hereby called upon and strictly enjoined to enforce this order, by apprehending and confining all persons who shall dare to act in disobedience of it. It is further ordered and commanded that no person whatever shall in future travel with or drive any car, cart, or waggon, on Sundays, in any part of this territory, except in case of some particular and very pressing necessity, the same being a violation of that sacred command which prescribes the Sabbath as a day of rest, not only to man, but to all other animals, and also contrary to the law of the mother country, established in this colony.

Desecration  
of the  
Sabbath.

Regulations  
for  
travellers.

The towns of Parramatta and Windsor having been lately laid out and arranged into regular streets, His Excellency hereby orders and directs that no person shall presume to build any house within those towns, without previously submitting a plan of such house and out-houses, or offices, as he may be disposed to build, to the magistrate resident in each of those towns, who will be furnished by His Excellency with the suitable instructions on that

Parramatta  
and  
Windsor

1811 head; and His Excellency gives this public notice, that no town  
 11 May. leases will be granted in either of those places until he is furnished with and approves of the plan of such house and offices as may be proposed to be built.

EARL LIVERPOOL TO GOVERNOR MACQUARIE.

14 May. Sir, Downing-street, 14th May, 1811.  
 Convicts from Ceylon It having been represented to me that it would materially aid the due execution of the laws in the island of Ceylon if directions were given to the Governor of New South Wales to receive convicts sent there under sentence of transportation from Ceylon, and that, from the rare instances in which it would be necessary to have recourse to that mode of punishment, no material inconvenience could arise to the settlement under your government, you are, therefore, directed to receive any convicts that may be sent from the island of Ceylon to the colony of New South Wales under sentence of transportation, and to consider them subject to the same regulations with regard to their maintenance and distribution as apply to the cases of those convicts who are sent from other parts of India.  
 to be sent to New South Wales. LIVERPOOL.

LIEUTENANT-COLONEL GORDON\* TO UNDER-SECRETARY HARRISON.  
 Commissary-in-Chief's Office,

18 May. Sir, Great George-street, 18th May, 1811.  
 The Commissariat. Having been for some time past engaged in investigating the Commissariat concerns in New South Wales, I am now enabled to lay before you, for the consideration of the Lords Commissioners of His Majesty's Treasury, the present state and establishment of the Commissariat in that colony up to May, 1810, and also my opinion upon the establishment, which I conceive to be necessary for the good management of the business, and for the security of the public interests under all the variety of circumstances incidental to that colony.  
 Commissariat department. The paper No. 1 contains a list of persons belonging to the Commissariat Department in New South Wales with the pay and duties of each.  
 Convicts victualled. The paper No. 2† contains an account of the number of convicts victualled at the several stations.  
 Officers and men. The paper No. 3 contains a statement of the number of officers and men stationed at the different settlements in New South Wales in May, 1810, amounting, in men, women, and children, to about 1,200 persons.‡

\* Sir James Willoughby Gordon, Military Secretary to the Commander-in-Chief (the Duke of York). Compare this statement with that of Messrs. Erskine and King, dated 3rd August, 1811, post, p. 509.

† The information given in Enclosure No. 2, will be found in the returns enclosed in Macquarie's letter of 30th April, 1810, ante, pp. 359-62.

‡ The discrepancy between these figures and those given in the returns for March, 1810, ante, pp. 359-62, is explained by the fact that between March and May, 1810, a number of the soldiers of the 102nd Regiment had embarked for England.

The paper No. 4 contains my proposed establishment for the whole of this colony. 1811

Should their Lordships be pleased to approve of my proposal, it is my intention to remove Mr. Palmer, now in this country, to some other service, as I find that he has been for a very long time—nearly twenty years—stationed in that colony, and I conceive that it may be prejudicial to the public interest to allow an individual to continue upon the same station in the Commissariat for so considerable a period. In that event, it would be in my judgment necessary to appoint an officer of the rank of Deputy Commissary-General to superintend the whole Commissariat business of New South Wales, and to whom all the other officers and persons in the Commissariat should account and be subordinate. 18 May. Palmer to be removed.

The actual expenditure of public money passing thro' the hands of the Commissariat annually in New South Wales, I estimate at about £25,000 odd, but which must necessarily encrease with the augmentation and prosperity of the colony. Annual expenditure.

I have, &c.,

J. W. GORDON.

[Enclosure No. 1.]

LIST of Persons belonging to the Commissariat Department at New South Wales, and in the exercise of their respective duties, May, 1810. The Commissariat.

Names.	Quality.	Rate of Pay.	Where doing Duty.
John Palmer ..	Commissary ..	£1 per day ..	Sydney, Port Jackson.
Wm. Broughton ..	Dep'y Com'y and Act'g Com- m'y in Mr. Palmer's absence	5/ do ..	do
James Wilshire ..	Com'sr's Clerk, now Acting Deputy Commissary ..	5/ do ..	do
John Jamison ..	Superintendent of Gov't Stock	£100 per ann.	Parramatta.
Rich'd Fitzgerald ..	Storekeeper ..	£50 do	Hawkesbury.
John Gowen ..	Superintend't and Storekeeper	£75 do	Sydney, Port Jackson.
Isaac Nicholls* ..	Superintendent of Convicts ..	£75 do	do
David Langley ..	do of Blacksmiths	£50 do	do
Ben'jn Barrow ..	do of the Factory	£50 do	Parramatta.
Richard Rouse ..	do of Carpenters	£50 do	do
Isaac Knight ..	do of Agriculture	£50 do	Castle Hill.
Joseph Ward ..	Acting Supt. of Constables ..	£50 do	Parramatta.
Rich'd Robinson ..	Superintendent of Gov't Mills	£50 do	Sydney, Port Jackson.
John Tucker ..	Storekeeper ..	£50 do	King's Town, Newcastle.
William Sutton ..	Commissary's Clerk ..	£60 do	Sydney, Port Jackson.
John Yates* ..	Acting Commissary's Clerk	£60 do	do
Wm. Sherwin* ..	Extra Storekeeper ..	£50 do	Parramatta.
J. H. Stroud* ..	do (Wet Stores) ..	£50 do	Sydney, Port Jackson.
Nathan'l Lucas†	do Sup'dt of Carpenters ..	£50 do	do
OUT-SETTLEMENTS.			
Leon'd Fosbrook ..	Deputy Commissary ..	5/ per day ..	Hobart Town, Derwent.
J. J. Sutton ..	Acting Deputy Commissary ..	5/ do ..	Port Dalrymple.
Edwd. Haven ..	Acting Storekeeper ..	£50 do ..	Norfolk Island.
22.—Total expence of the Establishment per annum, £1,700.			

\* Appointed by Lieut.-Colonel Johnston.

† Appointed by Colonel Foveaux.

1811  
18 May.

[Enclosure No. 3.]  
Account of the number of Officers and Troops, &c., stationed at the different Settlements in  
New South Wales, May, 1810.

Stations.	Lieutenant-Colonel.	Major.	Captain.	Lieutenants.	Ensigns.	Paymaster.	Adjutant.	Quartermaster.	Surgeon and Assistant.	Serjeant-Major and Serjeants.	Corporals.	Drummers.	Privates.	Total number of Troops.	Wives of Officers.	Children of Officers.	Women of Privates.	Children of Privates.	Total No. of Women and Children.
Sydney, Parramatta, and Hawkesbury.	1	..	8	9	6	1	1	1	3	36	39	13	556	679	7	5	127	110	249
King's Town, Newcastle .....	..	..	..	1	..	..	..	..	..	1	2	..	25	29	..	..	5	4	9
OUT-SETTLEMENTS.																			
Norfolk Island .....	..	..	..	1	..	..	..	..	..	2	2	2	23	35	..	..	7	5	12
Port Dalrymple .....	..	1	1	1	1	..	..	..	..	4	4	2	43	62	..	..	15	16	31
Total number of Officers and Troops, 73rd Regiment .....														805	..	..	..	..	301
Hobart Town River (Derwent), Royal Marines.	..	..	..	3	..	..	..	..	1	3	3	2	33	50	..	..	9	10	19
Grand Total, 73rd Regt. ....	1	1	9	15	7	1	1	1	4	46	50	24	695	805	7	5	163	145	301
And Royal Marines ....	..	..	..	..	..	..	..	..	..	..	..	..	..	50	..	..	..	..	19

# THE COMMISSARIAT DEPARTMENT.

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[Enclosure No. 4.]  
**STATEMENT of Offices of the Commissariat Department at New South Wales and Out-settlements, with Salaries, &c., May, 1810.**

Station.	Rank.	Pay per day.		Pay per annum.	Total amount per annum.
		War Office.	Treasury.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
Sydney, the Head-quarters	A Deputy Commissary-General ..	1 8 6	.....	520 2 6	
	An Assistant Commissary-General ..	0 14 3	0 5 0	351 6 3	
	A clerk ..	.....	0 7 6	136 17 6	
	2 storekeepers at £50 ..	.....	.....	600 0 0	
Parramatta, 14 miles from Head-quarters	A Deputy Assistant Commissary-General ..	0 9 6	0 5 0	264 12 6	1,168 6 3
	A storekeeper ..	.....	.....	50 0 0	
Hawkesbury, 40 miles	A Deputy Assistant Commissary-General ..	0 9 6	0 5 0	264 12 6	314 12 6
	A clerk ..	.....	.....	60 0 0	
Newcastle, 60 miles .. Port Dalrymple, 500 miles .. Hobart Town, 600 miles ..	A storekeeper ..	.....	.....	50 0 0	374 12 6
	A storekeeper ..	.....	.....	50 0 0	50 0 0
	A Deputy Assistant Commissary-General ..	0 9 6	0 5 0	264 12 6	50 0 0
	A clerk ..	.....	.....	60 0 0	
Norfolk Island, 1,000 miles	A storekeeper ..	.....	.....	50 0 0	374 12 6
	A storekeeper ..	.....	.....	50 0 0	50 0 0
Total expense of the Establishment per annum .....					2,382 3 9

NOTE.—At the three stations—Sydney, Parramatta, and Hawkesbury—large purchases of fresh meat and grain are made and delivered out.

1811  
 18 May.

1811

MRS. COLLINS TO UNDER-SECRETARY PEEL.

21 May.

Sir,

Ham, 21st May.

Colonel  
Collins's]  
widow.In necessi-  
tous circum-  
stances.Dis-  
appointed at  
not receiving  
a pension.Her financial  
circum-  
stances.

A precedent.

A letter which has reached me from Sir Rupert George, enclosing a note from you to him, has, by driving me to despair, impeded me to take the liberty of addressing myself to you. So great a liberty do I feel it, that nothing short of my desolate situation could have induced me to adopt it. By deigning to cast your eye over the memorial presented in my behalf, you will see a true but imperfect detail of my departed husband's misfortune, all arising from his fatal acceptance of an appointment in New South Wales. You will, then, sir, likewise learn the deep calamity in which his death has involved me, and by which I was in one moment driven, from every comfort and comparative affluence, to take shelter, from absolute want, under the roofs of distant connections, on whom I have no claim but such as their humanity affords me. The misery of such a situation need not be dwelt upon to a mind like yours. It will, therefore, be sufficient to say I have only been enabled to endure it for seven long months by the certain hope that Lord Liverpool's justice and humanity would at length place me beyond dependance. That hope your note has destroyed, and, by so doing, has plunged me into state of mind I will not wound your feelings by describing. I was, sir, born and bred a gentlewoman, and with better prospects than my hard fate has realized. I am, beside, by an ever-delicate and now broken constitution, rendered incapable of any effort to assist myself. Had I been more fortunately situated in these respects, or had my pension as an officer's widow been sufficient to the actual necessities of life, I should have greatly preferred hiding myself from the knowledge of my former associates, and eating my crust in silence, to the mortifying disclosure of my distressed circumstances; but that pension, sir, is not sufficient for any economy I can practise. It is not thirty-six pounds a year, and I have nothing beside, my husband's creditors having taken away everything, including a small property of my own amounting to one hundred a year. Your fortune and abilities, sir, make it impossible you can ever know pecuniary distress; but your liberality of mind will teach you that sum is inadequate to the support of life, and the same liberality will, I humbly trust, induce you to use your influence in my behalf. I shall then no longer plead in vain. As to the objection your note to Sir Rupert contains, of their being no fund from whence I can receive a pension, I must believe it some mistake, as the widow of Governor King, whose husband died after the resignation of his government, and after his arrival in England, has and does receive a pension of two hundred a year; yet Governor King had not been ruined, as my dear luckless husband was, by his service in New South Wales, nor did he, like him, expire in the actual performance of those services; consequently her claims, however just, do not equal mine. Let

me conjure you, sir, to reflect but for one moment on these circumstances, and I feel assured you will then hasten to support my cause with the great power you possess. Be my friend, sir, on this occasion, and intitle yourself to the future prayers and blessings of the sorely bruised but not unworthy heart of your

1811

21 May.

Grateful humble servant,

MARIA COLLINS.

Your note, sir, states that "I cannot receive a pension without its being brought before Parliament, to which there are objections." I do not know the nature of those objections; but this I know, that at least eight most respectable members of that body are ready, if it were brought there, to lend me every possible assistance in their power, from motives of justice and respect to my departed husband's merits and memory.

Friends in  
Parliament.

Should you condescend to favour me with an answer to this, I request, as my sister-in-law, in whose house I am, is of the same christian name as myself, that you will direct for Mrs. Colonel Collins, Ham, near Plymouth, Devon.

MRS. COLLINS'S MEMORIAL.\*

To the Right Honorable the Earl of Liverpool, one of His Majesty's Principal Secretaries of State, &c., &c., &c.

THE Memorial of Maria Collins, of Beaumont-st., in the parish of Saint Mary le Bone, widow of David Collins, Esq., late Lieut.-Governor of Sullivan Cove, in New South Wales, deceased,—

Humbly sheweth :—

That, at the close of the year 1786 your memorialist's husband, being then on the half pay of the Royal Marines, with the prospect of a long peace, was influenced by his father (the late General Collins) to accept of the appointment of Judge-Advocate to the settlement of Port Jackson, in New South Wales, then about to be established; and likewise to the military ordered for that service, with a salary of ten shillings per diem for each.

Collins's  
services.

That, after having incurred a heavy expence in providing for so arduous an undertaking, he, in May, 1787, left England; and no officer being permitted to take his wife with him, your memorialist was left behind, to be supported out of his small salary.

Sails for  
colony.

That, on reaching his destination, he took upon him the duties of the double office committed to his charge, which he performed till the year 1791, when, by the recal of the Marines, his salary as Judge-Advocate to them ceased; on which he applied to Governor Phillip for permission to return Home, but was refused, on the plea that his services in the colony could not be dispensed with.

Serves as  
Judge-  
Advocate.

\* On 20th July, 1812, Robert Peel, Under-Secretary of State for the Colonies, informed Mrs. Collins that it was proposed to allow her a pension of £120 per annum; the Estimates for 1812 were passed, however, before the matter was officially sanctioned. The amount was voted in the early part of 1813 with arrears from 1st January, 1812.

- 1811 That in this situation, therefore, he continued till 1793, when  
 . 21 May. he again solicited leave to quit that country, and for the same reason as before alledged was again refused.
- Returns to That he wrote to England requesting to be recalled, and his  
 England. wish being complied with, he returned to his native land in the year 1797, after an absence of eleven years.
- Unable to That the husband of your memorialist then requested permission  
 re-enter to return to his place in the Marines; but to his infinite distress  
 Marines. was informed that it was impossible, and that he could only return to the service as youngest captain in that corps, a situation in which he must have served under officers who had not entered the corps at the time when he obtained the rank of captain.
- Petitions to That he preferred remaining on half-pay; but feeling that his  
 King. long, laborious, and faithful services had merited reward, he resolved humbly to petition his most gracious Sovereign. His petition was presented by His Grace the late Duke of Portland.
- That as your memorialist's husband was considered as belonging to the Naval Department, his position was referred to the Board of Admiralty, by whom no answer was ever given to it.
- Collins as an That his pecuniary circumstances having been much embarrassed  
 author. by the reduction of his Judge-Advocate's pay, and by his long residence in New South Wales, he was compelled to employ his hours in literary labour\* to procure a subsistence, and in which he continued till the appointment of the Earl of St. Vincent to the head of the Admiralty, when no option was left to him but serving as youngest captain of Marines or resigning his half-pay, the only reward of a life spent from his fifteenth year in his country's actual service.
- Appointed That, to avoid this alternative, your memorialist's husband  
 Lieutenant- accepted the situation of Lieut.-Gov'r of Sullivan Cove, in New South  
 Governor. Wales, then about to be established†; and, after sinking the whole of a small property left him by his father, and incurring besides a large debt to equip him for an undertaking of such magnitude, he again left his country with everything that could be dear to him.
- That in this situation he had continued more than six years, when it pleased the Almighty to take him from the world.
- Collins That the heavy calamity of losing a beloved husband and pro-  
 insolvent. tector has been deeply embittered by his having died insolvent, whereby your memorialist is reduced to immediate and great distress, with no other resource for the future than such as the pension of a captain's widow presents.
- Wherefore your memorialist most humbly entreats your Lordship to take her unfortunate situation and the long services of

\* Doubtless Mrs. Collins here refers to the labours of her husband in preparing for the press the first volume of his *Account of the English Colony in New South Wales*, published in the summer of 1798.

† As every student of history knows, Collins was appointed to establish a settlement at Port Phillip. It was only when he was unable to discover a suitable site there that he removed to the Derwent.

her departed husband into consideration, and let them so plead as to obtain from your Lordship's favour such a provision as may enable your memorialist to pass the remainder of her days removed from want.

And your memorialist shall, as in duty bound, ever pray.

MARIA COLLINS.

Ex-GOVERNOR BLIGH TO SIR JOSEPH BANKS. (Banks Papers.)

My dear Sir,

25th May, 1811.

25 May.

The Court continued to-day and adjourned to Monday. Capt. Kemp and Lt. Minchen examined. Minchen did not finish, and continues on Monday. I have been very severely attacked by the two latter witnesses. Every word of theirs I hope to prove ill-founded. My character for swearing, passion, and abuse exemplified by the most artful stories. Insurrection positively sworn to by Kemp and Minchen, and that even the regiment would have mutinied had the six officers been brought before me on the 26th Jan'y. Johnston, in consequence, was obliged to put me under arrest, and that I shook hands with him, and thanked him for the act of seizing and securing my person. That my daughter and self condemned Mr. Gore's character, and others; in short, their whole evidence seemed to have been prepared to prove everything bad in me, and to invalidate my witnesses' testimony. I cannot but complain of the modes and restriction in the prosecution thus far, and I have only now to depend on my reply, and being allowed to call in witnesses again to rebut what has been said, and what will be continued by the other witnesses on the prisoner's side. Indeed, I am standing a severe trial, which, nevertheless, I trust truth will enable me to overcome.

Bligh on the trial of Johnston.

Evidence for the defence.

I remain, &c.,

W<sup>M</sup> BLIGH.

I shall wait on you to-morrow morning. I am to be with Mr. Pollock\* this evening at 7 o'clock.

REV. H. FULTON'S COMMISSION.

31st May, 1811.

31 May.

In the name and on the behalf of His Majesty George, P.R. George the Third, &c., to our trusty and well-beloved Henry Fulton, clerk,—

Greeting:—

We, reposing especial trust and confidence in your loyalty, integrity, and ability, do by these presents constitute and appoint you to be Assistant Chaplain to our settlements in New South Wales. You are, therefore, carefully and diligently to discharge the duty of Assistant Chaplain in the said settlements by doing and performing all and all manner of things thereunto belonging, and you are to observe and follow such orders and directions from

An assistant chaplain.

\* Mr. (afterwards Sir Frederick) Pollock was Bligh's counsel.

1811 time to time as you shall receive from our Governor of our said  
31 May. settlements, or any other your superior officer.

Given at our Court at Carleton House, the 31st day of May,  
1811, in the 51st year of our reign.

By the command of His Royal Highness the Prince Regent, in  
the name and on the behalf of His Majesty.

LIVERPOOL

D'ARCY WENTWORTH'S COMMISSION.

31st May, 1811.

In the name and on the behalf of His Majesty, George, P.R.  
George, &c., to our trusty and well-beloved D'Arcy Wentworth,—  
Greeting:—

Principal  
Surgeon.

We do by these presents constitute and appoint you to be  
Surgeon to the settlements within our territory, called New South  
Wales. You are, therefore, carefully and diligently to discharge the  
duty of surgeon, by doing and performing all and all manner of  
things thereunto belonging, and you are to observe and follow  
such orders and directions from time to time as you shall receive  
from our Governor of our said territory, or any other your superior  
officer according to the rules and discipline of war.

Given at our Court at Carleton House, the 31st day of May,  
1811, in the 51st year of our Reign.

By the command of His Royal Highness the Prince Regent, in  
the name and on the behalf of His Majesty.

LIVERPOOL

GOVERNMENT AND GENERAL ORDER.

1 June

Head-quarters, Sydney, Saturday, 1st June, 1811.

A holiday.

TUESDAY next being the anniversary of His Majesty's birthday, the  
same is to be observed as a holiday throughout the colony, and the  
Government mechanics and labourers are to be excused from work.

At sunrise on Tuesday the Royal Standard is to be hoisted at  
Fort Phillip, and the Union flag at Dawes's Battery.

Royal salute.

At noon a royal salute is to be fired from Dawes's Battery, and  
immediately afterwards the 73rd Regiment will fire three volleys on  
the regimental parade in front of the barracks in honor of the day.

The  
Governor's  
levee.

At one o'clock the Governor will hold a levee at the Government  
House, and be ready to receive the congratulations of the officers,  
civil and military, and other gentlemen of the colony, on the joyful  
occasion of our gracious Sovereign's having compleated the seventy-  
third year of his age.

Spirits and  
beef.

The Acting Commissary will issue a donation of half a pint of  
spirits and an extra ration of one pound of fresh beef to each non-  
commissioned officer and soldier of the 73rd, and detachment of  
the 102nd Regiments, and one pound of fresh beef to each of the  
Government mechanics and labourers, on Tuesday next, in honor  
of His Majesty's birthday.

GOVERNMENT AND GENERAL ORDER.

1811

Head-quarters, Sydney, Saturday, 8th June, 1811.

8 June.

HIS Excellency the Governor has been pleased to appoint the Reverend Robert Cartwright a justice of the peace and magistrate in the township of Wilberforce. His Excellency has been also pleased to appoint James Mileham, Esq., a justice of the peace and magistrate for the township of Castlereagh, both which places are in the county of Cumberland, and they are to be obeyed and respected accordingly. His Excellency directs that a Bench of Magistrates, consisting of William Cox, Esq., the Reverend Robert Cartwright, and James Mileham, Esq., shall assemble every Saturday, until further orders, at Windsor, for the dispatch of all magisterial business from the several adjoining districts and townships of Richmond, Castlereagh, Wilberforce, and Pitt Town.

Justices of the Peace.

His Excellency having been for some time past very much importuned and troubled with applications for free and conditional pardons and tickets-of-leave by various persons very undeserving of such high indulgencies, and being desirous as well to save such persons the trouble of making the like useless applications in future, as also to prevent his own time from being unnecessarily encroached upon, deems it expedient to issue the following orders on those important and particular points, for the information and observance of all those concerned, and the public at large.

Applications for tickets-of-leave.

It being the unalterable intention of His Excellency the Governor to extend the high boon of Royal clemency only to such persons as have, by a long and uninterrupted period of good conduct, and sincere contrition for their past offences, evinced themselves worthy of such favour and indulgence, no convict under sentence of transportation for life (nor any person in his or her behalf) need apply for a free pardon or emancipation (except in cases of extraordinary merit) until after a lapse of several years of servitude and fidelity of conduct; and convicts under sentence of transportation for a limited period will experience no remission of their original sentence until they have served at least one-half of the time for which they were transported, and then they can only expect to obtain their freedom or other indulgence by exemplary good conduct.

Clemency to good-conduct men only.

His Excellency further makes known that, in future, tickets-of-leave will not be granted to any convicts until they shall have served Government, or such settlers as they may be assigned to as indented servants, for the full space of three years; and it is His Excellency's desire that no applications shall be made to him for any of the foregoing indulgencies under other circumstances than those herein prescribed, which facts must be notified to him in writing by the magistrate or clergyman of the township wherein such convict may happen to reside; and no application whatever will be attended to if unaccompanied by such vouchers of good conduct and character.

Conditions of tickets-of-leave.

1811

8 June.

No excep-  
tions will be  
made.

His Excellency, in order to prevent unnecessary applications, desires that it may be clearly and distinctly understood that, having laid down the foregoing system for his own government, he is determined not to deviate from it in any instance whatever ; and he, therefore, expects that personal applications in favour of any individuals, contrary to the meaning and intention thereof, will not be made to him in future, as such will be deemed totally inadmissible.

His Excellency further makes known that there is no particular day of the year set apart by him for the dispensing such acts of clemency as are therein noticed, and, therefore, no applications for those purposes are to be made to him in future on any particular holiday.

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#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 8th June, 1811.

Office hours  
and routine.

His Excellency the Governor, feeling that his attention is daily attracted to the reading and answering of petitions, memorials, and applications of various kinds, and mostly of a frivolous and unimportant nature, to the great loss of time, it is now His Excellency's express desire that no applications, either verbal or written, shall be made to him in future on any other day of the week than Monday, unless the occasion should be of so important and urgent a nature as not well to admit of delay. On the remaining week days His Excellency will be ready to receive the civil and military officers of Government on business, between the hours of 10 and 12 o'clock in the forenoon. No letters of business are to be sent to, or will be received by, the Governor on Sundays, nor out of the hours devoted to public business during the week, nor are any letters of business to be sent to His Excellency's Secretary but during office hours ; and on week days any letters sent either to His Excellency the Governor or his Secretary, contrary to these orders, will be sent back unanswered to the persons who wrote them.

His Excellency's hours for the despatch of public business are from ten o'clock in the forenoon to three o'clock in the afternoon, and his Secretary's office hours are the same.

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#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, 8th June, 1811.

Conditional  
land grants.

His Excellency the Governor having deemed it expedient, for the purpose of increasing and improving the internal resources of the colony, to insert a clause in all grants of land made by him, that no part thereof shall be sold or alienated directly or indirectly for the space of five years from the date of such grants ; and also that a certain proportion of such land shall be cleared and cultivated within the said period, and in failure of either of those conditions, that the said grants shall become null and void, and revert to the Crown at the expiration of the aforesaid period of five years.

This is, therefore, to give notice to all persons concerned, and to the public at large, that any sale or disposal of lands so granted within the said term of five years, whether directly or indirectly, will be, and is hereby declared to be, null and void ; and all persons are directed to govern themselves accordingly.

1811  
8 June.

His Excellency having been also pleased to grant certain proportions of horned cattle and sheep from the Government herds to the settlers, with a view to improving their present circumstances, by enabling them to rear stock, with the indulgence of a reasonable time for the payment of the stock so obtained, conditioned, however, that they shall not sell or otherwise dispose of the said cattle or their offspring for the term of three years from the date of their receiving them, all persons are therefore cautioned against selling or disposing in any way of cattle so obtained ; and the public are in like manner directed not to purchase or otherwise obtain possession of them, as they will be prosecuted and punished for such act, the said cattle being considered the real property of the Crown for the said term of three years.

Conditional  
grants of  
cattle.

#### GOVERNMENT PUBLIC NOTICE.

Head-quarters, Sydney, Saturday, 8th June, 1811.

His Excellency the Governor, wishing to accommodate those persons to whom he has promised grants of land with the possession of them at as early a period as possible, in order to enable them [to] proceed to the clearing and cultivation thereof, has directed Mr. Meehan, the acting-surveyor, to proceed to measure and mark them out with the least possible delay. In furtherance of this object, His Excellency has thought proper to make the following arrangement for the convenience and accommodation of all persons concerned, viz. :—

Land grants.

1st. That all such persons as have been promised lands in the district of Castlereagh, and low down on either bank of the river Hawkesbury, shall meet the acting-surveyor on Monday, the 17th day of the present month, at the lower branch of the Hawkesbury.

The Lower  
Hawkesbury  
district.

2nd. That all persons who have been promised lands in the district of Richmond, Upper Nelson, or in the Kurrajong, shall meet the acting-surveyor at Richmond, on Monday, the 24th of the present month.

The Nepean.

3rd. That all persons who have been promised lands in the districts of Bringelly, Cooke, or at Mulgoa shall meet the acting-surveyor at the latter place (Mulgoa), on Monday, the 8th of the next month of July.

Upper  
Nepean.

4th. That all persons who have been promised lands in the districts of Minto, Airds, or Appin shall meet the acting-surveyor at the stockyard belonging to Mr. Robert Campbell, in the district of Airds, near the banks of the Nepean River, on Thursday, the first day of August.

Minto, Airds,  
and Appin.

1811  
18 May.

[Enclosure No. 3.]  
ACCOUNT of the number of Officers and Troops, &c., stationed at the different Settlements in  
New South Wales, May, 1810.

Stations.	Lieutenant-Colonel.	Major.	Captain.	Lieutenants.	Ensigns.	Paymaster.	Adjutant.	Quartermaster.	Surgeon and Assistants.	Serjeant-Major and Serjeants.	Corporals.	Drummers.	Privates.	Total number of Troops.	Wives of Officers.	Children of Officers.	Women of Privates.	Children of Privates.	Total No. of Women and Children.
Sydney, Parramatta, and Hawkesbury.	1	..	8	9	6	1	1	1	3	36	39	13	553	679	7	5	127	110	249
King's Town, Newcastle .....	..	..	..	1	..	..	..	..	..	1	2	..	25	20	..	..	5	4	0
OUT-SETTLEMENTS.																			
Norfolk Island .....	..	..	..	1	..	..	..	..	..	2	2	2	23	35	..	..	7	5	12
Port Dalrymple .....	..	1	1	1	1	..	..	..	..	4	4	2	43	62	..	..	15	16	31
Total number of Officers and Troops, 73rd Regiment .....	805																		
Hobart Town River (Derwent), Royal Marines.	..	..	..	3	..	..	..	..	1	3	3	2	33	50	..	..	9	10	19
Grand Total, 73rd Regt. ....	1	1	9	15	7	1	1	1	4	46	50	24	695	805	7	5	163	145	301
And Royal Marines. ....	..	..	..	..	..	..	..	..	..	..	..	..	..	50	..	..	..	..	19

# THE COMMISSARIAT DEPARTMENT.

535

[Enclosure No. 4.]  
**STATEMENT of Offices of the Commissariat Department at New South Wales and Out-settlements, with Salaries, &c., May, 1810.**

Station.	Rank.	Pay per day.		Pay per annum.	Total amount per annum.
		War Office.	Treasury.		
Sydney, the Head-quarters	A Deputy Commissary-General	£ s. d. 1 8 6	£ s. d. .....	£ s. d. 530 2 6	£ s. d. .....
	An Assistant Commissary-General	0 14 3	0 5 0	361 6 3	.....
	A clerk	.....	0 7 6	126 17 6	.....
	A clerk	.....	.....	60 0 0	.....
	2 storekeepers at £50	.....	.....	100 0 0	1,168 6 3
Parramatta, 14 miles from Head-quarters	A Deputy Assistant Commissary-General	0 9 6	0 5 0	294 12 6	.....
	A storekeeper	.....	.....	50 0 0	314 12 6
Hawkesbury, 40 miles	A Deputy Assistant Commissary-General	0 9 6	0 5 0	294 12 6	.....
	A clerk	.....	.....	60 0 0	.....
	A storekeeper	.....	.....	50 0 0	.....
Newcastle, 60 miles	A storekeeper	.....	.....	50 0 0	374 12 6
Fort Dairymple, 500 miles	A storekeeper	.....	.....	50 0 0	50 0 0
Robert Town, 600 miles	A Deputy Assistant Commissary-General	0 9 6	0 5 0	294 12 6	.....
	A clerk	.....	.....	60 0 0	.....
	A storekeeper	.....	.....	50 0 0	.....
Norfolk Island, 1,000 miles	A storekeeper	.....	.....	50 0 0	374 12 6
					50 0 0
Total expense of the Establishment per annum.....					2,382 3 9

NOTE.—At the three stations—Sydney, Parramatta, and Hawkesbury—large purchases of fresh meat and grain are made and delivered out.

1811  
 18 May.

1811  
18 May.

[Enclosure No. 3.]  
ACCOUNT of the number of Officers and Troops, &c., stationed at the different Settlements in  
New South Wales, May, 1810.

Stations.	Lieutenant-Colonel.	Major.	Captain.	Lieutenants.	Ensigns.	Paymaster.	Adjutant.	Quartermaster.	Surgeon and Assistants.	Serjeant-Major and Sergeants.	Corporals.	Drummers.	Privates.	Total number of Troops.	Wives of Officers.	Children of Officers.	Women of Privates.	Children of Privates.	Total No. of Women and Children.
Sydney, Parramatta, and Hawkesbury.	1	..	8	9	6	1	1	1	3	36	39	13	556	679	7	5	127	110	249
King's Town, Newcastle .....	..	..	..	1	..	..	..	..	..	1	2	..	25	29	..	..	5	4	9
OUT-SETTLEMENTS.																			
Norfolk Island .....	..	..	..	1	..	..	..	..	..	2	2	2	23	35	..	..	7	5	12
Port Dalrymple .....	..	1	1	1	1	..	..	..	..	4	4	2	48	62	..	..	15	10	31
Total number of Officers and Troops, 73rd Regiment .....															805	..	..	..	301
Hobart Town River (Derwent), Royal Marines.	..	..	..	3	..	..	..	..	1	3	3	2	33	50	..	..	9	10	19
Grand Total, 73rd Regt. ....	1	1	9	15	7	1	1	1	4	46	50	24	695	805	7	5	163	145	301
And Royal Marines. ....	..	..	..	..	..	..	..	..	..	..	..	..	..	50	..	..	..	..	19

# THE COMMISSARIAT DEPARTMENT.

535

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Station.	Rank.	Pay per day.		Pay per annum.		Total amount per annum.
		War Office.	Treasury.	£ s. d.	£ s. d.	
Sydney, the Head-quarters	A Deputy Commissary-General ..	1 8 6	.....	520 2 6	£ s. d.	
	An Assistant Commissary-General ..	0 14 3	0 5 0	361 6 3		
	A clerk ..	.....	0 7 6	136 17 6		
	A clerk ..	.....	.....	80 0 0		
	2 storekeepers at £50 ..	.....	.....	100 0 0		1,168 6 3
Paramatta, 14 miles from Head-quarters	A Deputy Assistant Commissary-General..	0 9 6	0 5 0	294 12 6		
	A storekeeper ..	.....	.....	50 0 0		314 12 6
Hawkesbury, 40 miles	A Deputy Assistant Commissary-General..	0 9 6	0 5 0	294 12 6		
	A clerk ..	.....	.....	80 0 0		
	A storekeeper ..	.....	.....	50 0 0		
Newcastle, 60 miles .. Port Delapryle, 500 miles .. Hobart Town, 600 miles ..	A storekeeper ..	.....	.....	50 0 0		374 12 6
	A storekeeper ..	.....	.....	50 0 0		50 0 0
	A Deputy Assistant Commissary-General..	0 9 6	0 5 0	294 12 6		50 0 0
	A clerk ..	.....	.....	80 0 0		
	A storekeeper ..	.....	.....	50 0 0		
Norfolk Island, 1,000 miles	A storekeeper ..	.....	.....	50 0 0		374 12 6
						50 0 0
Total expense of the Establishment per annum.....						3,382 3 9

NOTE.—At the three stations—Sydney, Paramatta, and Hawkesbury—large purchases of fresh meat and grain are made and delivered out.

1811  
13 May.

1811  
17 June.  
" Unfortunate "  
officers.

A charge of  
false imprisonment.

Minchin an  
irresponsible  
agent.

pecuniary embarrassments preclude me from in any of the Courts of Law, not having the means of procuring legal advice and support.\* I am, my Lord, one of the unfortunate officers who acted under the orders of Lieut.-Col. Johnston at the time he arrested Governor Bligh, and removed the civil officers of the colony from their respective situations, in consequence of which an action has been commenced against me here by Mr. Gore, the Provost-Marshal, for false imprisonment, in having placed him under arrest, and he has laid his damages at one thousand pounds. That I did place Mr. Gore under military arrest in his own house I must freely admit; but having had my commanding officer's orders to do so, I thought myself bound as Adjutant of the regiment to obey him, nor did I conceive I should be justified in questioning by what authority he acted in giving those orders; but if I did wrong in obeying those orders, I most solemnly declare to your Lordship I was not actuated by the smallest degree of malice or wantonness. I must also beg to remark to your Lordship that, previous to the civil officers being placed under arrest, I expressed a hope, in the presence and hearing of Colonel Johnston, that they would not be disturbed, when Mr. Macarthur interfered, and very warmly urged their arrest, saying they were a vile combination and the Governor's advisers,† upon which the Colonel gave the order; and it unfortunately fell upon me, from my peculiar situation as Adjutant of the regiment, to see it put in force. I am induced to enter thus far into the business in order to give your Lordship a full idea of the measure which led to the action now against me, and with the humble hope that your Lordship will be pleased to view my conduct in as favourable a light as the nature of my present case will admit, and afford me your protection. Your Lordship will thereby deliver me from the horrors of a prison, and a helpless wife and family from absolute ruin.

I have, &c., WM' MINCHIN,  
Lieut. and Adj't, 102nd Regiment.

#### LIEUTENANT KENT TO SECRETARY CROKER.

19 June.  
Naval  
officers as  
members of  
Court.

Sir, 45, Elson-street, Strand, 19th June, 1811.  
I request you will be so obliging as to respectfully represent, in my name, to my Lords Commissioners of the Admiralty, that by the patent of the colony of New South Wales it is directed that the Criminal Courts held in that territory are to be composed of commissioned officers of the sea and land service, and that Captain William Bligh, late Governor and Commodore there, did issue a standing order to the late Captain Short, of His Majesty's

\* See Farrer & Co's letter, printed on the next page, in which they state that Minchin had engaged the same attorney as Lieutenant-Colonel Johnston.

† The solicitors employed by several of the officers denied this statement.

ship the Porpoise, dated upon the 26th day of August, 1806, for two commissioned officers belonging to her always to sit as members of that Court whenever applied to by the Judge-Advocate for that purpose, beginning with himself, and to take them in rotation. 1811  
19 June.

You will also be pleased to represent to their Lordships that, after the command of His Majesty's vessels devolved upon me, that my constant study was to carry into effect every standing order of His Majesty's ship Porpoise, and to obey any order which my commanding officer might please to give me, as will fully appear in the sentence pronounced by the Court who recently tried me, and to which I most respectfully refer. That, in obedience to the order of my superior officer, and in execution of my duty as acting commander of the Porpoise, I was one of the members of a Criminal Court before whom Mr. William Gore, the late Provost-Marshal of that colony, was brought on an accusation of perjury. On the indictment being read, Mr. Gore refused to plead to it; and the law of England expressly enacting that any person arraigned before the Criminal Court, and who should refuse to plead, was to be considered as guilty of the crime alleged, and sentenced accordingly, the Court thought proper to pass sentence of transportation upon him. For the Court having passed this sentence Mr. Gore has raised an action against me (as one of its members), in His Majesty's Court of King's Bench, and as their Lordships must be aware of the severe hardship of an officer being obliged to defend himself in a Court of Justice—at an enormous expence, which he is not able to bear—for having strictly complied with his instructions, and which, if he had disobeyed, would have subjected him to ruin and disgrace, I solicit you will do me the favour of moving their Lordships to permit my case to be laid before the counsel and solicitor of the Admiralty, and that they will be pleased to direct those law officers of the Crown to defend me in this cause, it being raised for an act done in strict conformity of my duty.

Kent's policy as commander.

Present at Gore's trial.

Action for false imprisonment.

I have, &c.,

WILLIAM GEO. CARLILE KENT,  
Lieut., Royal Navy.

MESSRS. FARRER AND CO. TO UNDER-SECRETARY PEEL.

Lincoln's Inn Fields, 22nd June, 1811.

22 June.

MESSRS. FARRER & Co. present their resp'l comp'ts to Mr. Peel, and beg to acquaint him that they have made particular inquiries (but without stating their reason) as to the statement in Lieut. Minchin's petition\* "that it was doubtful whether Gore should be committed till Mr. McArthur got up and declared that he was one of Bligh's crew, and let him go, &c." Major Abbott, whom

Minchin's statements contradicted.

\* By "petition" the writers evidently meant Minchin's letter of 17th June, 1811 (ante, p. 547) which contains the two statements they refer to. The words quoted are in inverted commas in the original, but were probably merely inserted from memory, as Messrs. Farrer & Co. had not a copy of Minchin's letter.

1811  
22 June. Messrs. F. & Co. know to be respectable, says that there was no such thing pass'd in his hearing, that he never heard that such was the case, nor does he believe it was. They also think he stated that he had no means of employing any attorney. The fact is that he has employ'd the same attorney as Governor (*sic*) Johnston has. Messrs. F. & Co. take leave to mention this, that Government may not entertain the unfavourable impression against the officers forming the Court (by which Gore was tried) which Lieut. Minchin's statement is calculated to create. Lieut. Minchin did not compose one of the Court for Mr. Gore's trial. Mr. Gore has not proceeded further in his actions, and Messrs. F. & Co. presume that he is waiting for the decision of the Court-Martial, and if that should be favourable, think it would be the means of putting a stop, not only to his, but to other actions, by which Government would be relieved from a variety of applications and would prevent an exposure, which is most desirable should not take place. If, therefore, it is favourable, it is important that the sentence should be published immediately. Mr. Peel was good enough to say that he would speak to the Judge-Advocate upon the subject, when they last had the pleasure of seeing him.

Waiting for the verdict.

## GOVERNMENT PUBLIC NOTICE.

Secretary's Office, 29th June, 1811.

29 June.  
Vehicular  
traffic at  
Sydney.

WHEREAS the public at large, and persons on horseback and in carriages in particular, are frequently obstructed and exposed to considerable risque in the streets of Sydney by cars and carts being left in them without any person to attend to the cattle drawing them; and also by the drivers of cars and carts sitting in them instead of being on foot with their cattle, to guide and manage them: This is, therefore, to give notice that any persons who shall in future either leave their cars or carts, or who shall presume to drive them through the streets, or anywhere within one mile of Sydney, otherwise than on foot alongside their cattle, will be prosecuted and severely punished by fine or imprisonment; and any persons who shall either ride or drive their cattle upon the pathways constructed for the accommodation of foot passengers will, in like manner, be punished by fine or imprisonment.

Enforcing  
the order.

For the more fully carrying the foregoing regulations into the desired effect, all magistrates, constables, and other peace officers are hereby required to see them enforced, without favour or partiality, on every occasion where they may be neglected or disobeyed; and the constables and other peace officers are directed to seize all cars and carts which may be found in the streets or within one mile of the town of Sydney unattended by any person alongside of the cattle drawing them, and to retain the same until such fine or punishment as may be thereby incurred shall be sufficiently discharged.

# SHIPPING RETURNS.

551

## SHIPPING RETURNS

Report of Ships and Vessels Entered Inwards and Cleared Outwards at Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of April to the 30th day of June, 1811.

Date of entry.	Name of the Vessel.	Master.	Build.	No. of Tons Guns Men	Where built.	Regis- tered.	Name of the Owners.	From whence.	General Cargo.	Duty and Fee of Entry.
<b>INWARDS.</b>										
13 Apr.	Sydney Cove	C. McLaren...	Foreign	282 8 16	Prize	London	John Bull	Sealing Islands.	1,000 skins and 8 tons sperm oil for the London market.	2 0 0
26 "	Millwood	E. Smith	American	253 8 20	New York.	N. York.	B. Minturn	New York and Cape of Good Hope.	General merchandise	2,412 7 6
1 May	Concord	Thos. Garbutt.	British	150 8 18	Dartmouth	London	Alex'r Birnie & Co.	Seal Fishery	60 tons of elephant oil and 3,000 half realskins	2 0 0
19 "	Aurora	O. F. Smith	American	180 6 43	Virginia	N. York.	Thomas Woolden and others.	" "	" "	2 0 0
6 June	Cumberland	Wm. Swain	British	208 10 23	Rotherhithe	London	Messrs. Enderbys	London	" "	7 0 6
19 "	Frederick and Maria	T. McNeelaunc.	Plantation	390 50	Chittagong	Calcutta.	Alexander & Co.	Calcutta	General merchandise	346 3 7
										2,771 1 7
Wines and Spirits received in the colony of New South Wales from the 1st day of April to the 30th day of June, 1811, viz. —Milwood—Rum, 138 casks, equal to 12,772 gallons; gin, 39 casks, equal to 3,181 gallons; wine, 58 casks, equal to 5,046 gallons. Cumberland—Rum, 1 cask, equal to 25 gallons.										
<b>OUTWARDS.</b>										
When cleared.	Will'm Dagg	Foreign	220	21	Prize	London	Will'm Dagg & Co.	Where bound.	43 tons of sperm oil for the London market.	0 5 0
5 Apr.	Santa Anna	Chas. Peen	Plantation	130 1 27	Pegu	Calcutta.	Edward Willis	Seal Fishery	Ballast	0 5 0
1 May	Mary and Sally Campbell	Rich'd Siddons.	"	248 50	Calcutta	"	Alexander & Co.	Calcutta	"	0 5 0
4 "	Macquarie	P. C. Monstrop.	"	130 2 21	"	"	Farlie, Ferguson & Co.	"	74 tons of coals	0 5 0
4 "	Eagle	Sam'l Ashmore.	"	290 6 27	"	"	Scott, Wilson & Co.	"	"	0 5 0
14 June	Hibernia	Joseph Leigh	"	240 10 40	America	"	Chas's Blancy	"	40 tons of coals and 10 casks of oil.	4 9 0
										5 14 0

H. GLENHOLME, Naval Officer.

1811  
30 June.  
Shipping  
returns—  
inwards and  
outwards.

1811

## GOVERNMENT AND GENERAL ORDER.

2 July.

Horse Guards, 2nd July, 1811.

At a General Court-Martial, held at the Royal Hospital, Chelsea, on the 7th May, 1811, and continued by adjournments to the 5th of June following, Lieutenant-Colonel George Johnston, Major of the 102nd Regiment, was arraigned upon the undermentioned charge, viz. :—

The charge  
against  
Johnston.

“That Lieutenant-Colonel George Johnston, Major as aforesaid, did, on or about the 26th day of January, 1808, at Sydney, in the colony of New South Wales, begin, excite, cause, and join in a mutiny, by putting himself at the head of the New South Wales Corps, then under his command, and doing duty in the colony, and seizing and causing to be seized and arrested, and imprisoning and causing to be imprisoned, by means of the above-mentioned military force, the person of William Bligh, Esq., then Captain-General and Governor-in-Chief in and over the territory of New South Wales.”

The verdict.

Upon which charge the Court came to the following decision :—

“The Court, having duly and maturely weighed and considered the whole of the evidence adduced on the prosecution, as well as what has been offered in defence, are of opinion that Lieutenant-Colonel Johnston is guilty of the act of mutiny, as described in the charge, and do, therefore, sentence him to be cashiered.”

His Royal Highness the Prince Regent, in the name and on behalf of His Majesty, was pleased, under all the circumstances of this case, to acquiesce in the sentence of the Court.

A lenient  
sentence.

The Court, in passing a sentence so inadequate to the enormity of the crime of which the prisoner has been found guilty, have, apparently, been actuated by a consideration of the novel and extraordinary circumstances which, by the evidence, on the face of the proceedings, may have appeared to them to have existed during the administration of Governor Bligh, both as affecting the tranquillity of the colony and calling for some immediate decision ; but although the Prince Regent admits the principle under which the Court have allowed this consideration to act in mitigation of the punishment which the crime of mutiny would otherwise have suggested, yet no circumstances whatever can be received by His Royal Highness in full extenuation of an assumption of power so subversive of every principle of good order and discipline as that under which Lieutenant-Colonel Johnston has been convicted.

Extenuating  
circum-  
stances.

Publishing  
the sentence.

The Commander-in-Chief directs that the charge preferred against Lieutenant-Colonel Johnston, together with the sentence of the Court, and His Royal Highness the Prince Regent's pleasure thereon, shall be read at the head of every regiment, and entered in the Regimental Orderly Book.

THE JUDGE-ADVOCATE GENERAL TO THE EARL OF LIVERPOOL.

1811

My Lord,

Downing-street, 4th July, 1811.

4 July.

Your Lordship having expressed a wish, in reference to my former letter of the date of March 11th, that I would communicate to you my opinion whether any further steps should be taken with respect to the mutiny in Botany Bay,\* for which Lieut.-Colonel Johnston has lately been brought to trial,—I have now the honor of stating to your Lordship that it appears to me, under all the circumstances, as they have been detailed and established in the course of the above mentioned trial, that it is not necessary for the public service, nor do the ends of justice require, that the proceedings respecting that affair should be carried any further.

Steps to be taken re mutiny at Sydney.

Proceedings need go no further.

In arriving, however, at this conclusion, I feel it necessary to state to your Lordship that my mind has been much influenced by the consideration of the 102nd Regt. having been removed from the colony, as I could not but have entertained serious apprehensions of mistaken opinions being formed, and of mischievous consequences ensuing, if any of the officers connected with the Regiment during the commotion in the colony were now residing in, or likely in a public capacity again to return to, that settlement, or any of its dependencies.

Regiment to be removed.

I have, &amp;c.,

C. MANNERS SUTTON.

LIEUTENANT-COLONEL FOVEAUX TO EARL LIVERPOOL.

64, Charlotte-street, Fitzroy Square,

My Lord.

6th July, 1811.

6 July.

The business of the Court-Martial relative to the suspension of Gov'r Bligh having terminated, I hope your Lordship will permit me to solicit your attention to the recommendations in my favour from Governor McQuarrie and my friend, Mr. Lewis, for the appointment of L't.-Governor at Van Dieman's Land, vacant by the death of Col. Collins. To this settlement I shall be ready to repair immediately should your Lordship be pleased, and to exert myself, as I hope I have hitherto done, with a due consideration to the public interest and to the happiness and prosperity of the colony entrusted to my charge.

Foveaux wishes to succeed Collins.

Not to occupy your Lordship's time by a repetition of what I have already stated in my letters dated October & 22 Jan'y last, relative to the critical circumstances in which I was placed on arriving in New South Wales upwards of six months after the suspension of Gov'r Bligh, I beg to state that if I have erred in not opposing the measure adopted by Lt. Col. Johnston, and approved by my then commanding officer, Colonel Paterson, I have acted from the purest motives; and I cannot omit to notice that, although my

The circumstances attending his arrival in the colony.

\* It will be noticed that, even in the official mind, Botany Bay stood for New South Wales.

1811  
6 July

Foveaux  
denied pro-  
motion in  
the regi-  
ment.

conduct in the selection of a choice (to which I was unfortunately impelled) between two serious evils has been justified by the official report of Gov'r McQuarrie, I have been punished for such error in judgment by a most severe trial on my feelings as an officer. Since I had the honor to address your Lordship the L't.-Colonelcy of my reg't, which was withheld from me in consequence of a representation your Lordship thought it your duty to make to the Commander-in-Chief, has been bestowed on an officer so much my junior that he has not been by four years so long an officer on full pay as I have been major next in succession for the L't.-Colonelcy, and I have been passed over in the brevet promotion to the rank of colonel, a circumstance I believe unprecedented without absolute guilt.

I have, &c.,

J. FOVEAUX.

#### GOVERNMENT PUBLIC NOTICE.

Secretary's Office, Sydney, 6th July, 1811.

Arrival of  
convicts.

Drawing  
lots

THE transport ship Providence having arrived with convicts, and it being His Excellency the Governor's wish to save the settlers from the trouble and expense of coming to Sydney for the purpose of receiving a distribution of them, the number arrived not being nearly sufficient to meet the full extent of the demand,—notice is hereby given that the whole of the male convicts by this arrival are to be landed on Monday next, and after being mustered and inspected, and such of them as may be found necessary retained for the Government public works, the remainder is to be distributed rateably among the settlers according to their demands and real wants. The settlers who may be considered as most in want of and best entitled to them, are to give in their names to the magistrates in the different districts, and are to draw lots for which shall obtain men; this drawing of lots to take place in the presence of those magistrates who are empowered to make the distribution.

The convicts are to be sent off from hence for the several districts on Monday next, the 8th instant; and the settlers are hereby directed to attend to draw for them in their respective districts, at the following times and places, namely:—

at district  
centres.

At the Court-house in Parramatta, on Tuesday, the 9th instant;

At the House of Mr. Knight, at George's River, on Wednesday, the 10th instant; and

At the Court-house, at Windsor, on Thursday, the 11th instant.

The settlers resident at or near Kissing Point, and in the districts of Concord and Petersham, are to attend for their proportions at Parramatta, to draw lots for and receive the men whom they some time since applied for.

Such settlers as do not punctually attend at the foregoing times and places, will not afterwards receive any of these convicts.

## EARL LIVERPOOL TO LIEUTENANT-COLONEL FOVEAUX.

1811

Sir,

Downing-street, 11th July, 1811.

11 July.

I have received your letter of the 6th inst., in which you renew your application for the Lieut.-Government of Van Dieman's Land, vacant by the death of Col. Collins, and in which you direct my attention to the recommendation in your favour which I have received from the Governor of New South Wales.

Foveaux's  
application  
refused.

I am to acquaint you, in reply, that His Majesty's Government have determined, after mature deliberation, that it is not advisable that I should submit your name to His Royal Highness the Prince Regent for the appointment to that situation.

I am not aware that there has been in your case a departure from the usual course of military promotions under circumstances similar to those in which you were placed; but I shall have no difficulty in submitting my opinion to the Comm'r-in-Chief, if referred to by His Royal Highness, that there can be no objection to your advance in rank as an officer, now the proceedings of the Court-Martial on Lt.-Col. Johnstone are closed, and that you ought not to suffer by the loss of any opportunity of promotion which may have occurred in the interval, to which, under the circumstances, you would have been considered entitled to avail yourself.

Military  
promotions.

I have, &amp;c.,

LIVERPOOL.

## JOHN BLAXLAND'S MEMORIAL.

Wandsworth, 15th July, 1811.

15 July.

THE humble memorial of John Blaxland, of the settlement of New South Wales,—  
Sheweth :—

That your memorialist did enter into certain agreements with His Majesty's Ministers for his establishing himself and family in the colony of New South Wales, and in the year 1806 left England with his servants, amounting in the whole to eleven persons, entirely at his expence.

Blaxland's  
agreement  
with Govern-  
ment.

That on his arrival in the colony the Gov'r did refuse to carry the said agreements into effect, and threw every impediment in his way to prevent his establishing himself, to the great loss and injury of your memorialist, and threatened his total ruin.

Opposed by  
Bligh.

That finding his expectations thus defeated, his property fast diminishing, and thinking his life insecure, he left that place for England, to endeavor to obtain redress, when, on his arrival at the Cape of Good Hope, he was (he humbly submits) illegally imprisoned one month in the common jail, and afterwards sent Home a prisoner to the Secretary of State's office.

Imprisoned  
at the Cape.

That your memorialist has sent in several petitions but hitherto without success. He fears his long separation from his concerns and family (being near three years) will occasion his total ruin.

Petitions  
unanswered.

- 1811  
15 July.  
Loss of health.  
Investments.  
Asks for passages.
- That your memorialist has suffered considerable loss, and his health much impaired from disease originating from his confinement in the Cape prison, all which is humbly submitted to your Lordship, and he prays that you will take his case into consideration.
- John Blaxland humbly prays that his original agreements with His Majesty's Ministers may be carried into effect, as instead of the £6,000 stipulated to be advanced he has expended more than double that sum.
- That the injurious agreement he was compelled to enter into respecting the cattle he did obtain may be made conformable to the original intention.\*
- There being no ships going to the colony in which he can obtain a passage but in the transports now fitting, that he may be allowed a passage for himself, two sons, one servant, and a shepherd, with fifteen tons for his goods, seeds, and necessaries, with places for six Spanish sheep, and storage for hay and water.
- He is emboldened to make the above requests, their being conformable to his original agreement, and in addition to which Lieut't Minchin and servant being sent Home in a ship† belonging to him, for which no remuneration has been made.‡

## LIEUTENANT-COLONEL FOVEAUX TO EARL LIVERPOOL.

64 Charlotte Street, Fitzroy Square,

- 18 July.  
Collins's successor.  
Foveaux's military rank.  
Salary as Lieutenant-Governor.
- My Lord,  
18th July, 1811.
- I have had the honor to receive your Lordships letter of the 11th inst. signifying to me the determination of His Majesty's Government not to propose me to the Prince Regent for the appointment of Lieutenant-Governor, vacant by the death of Colonel Collins.
- I beg leave to return my sincere acknowledgments for the readiness you have been pleased to express, to give an opinion to the Commander-in-Chief favourable to my claims to military promotion, upon a reference from His Royal Highness, and to acquaint your Lordship that my promotion has since taken place, having been appointed Lieutenant-Colonel to the Greek Regiment of Light Infantry.
- I request your Lordship will allow me to bring under your consideration the situation in which I stand in regard to the salary of Lieutenant-Governor. When Government formed arrangements with a view to discontinue the establishment at Norfolk Island, your Lordship's predecessor was kindly pleased to signify

\* For the terms of the agreement between Blich and Blaxland, see vol. vi, p. 309.

† Lieutenant Minchin sailed from Sydney in Blaxland's vessel, *The Brothers*, which left on 2nd May, 1808, and arrived in the Downs on 12th September, 1808.

‡ This memorial was forwarded to Governor Macquarie by the Earl of Liverpool on 26th July, 1811, with instructions to give effect to the original agreement under which Blaxland emigrated.

to me, by an official letter dated 24th June, 1803 (an extract of which is herein inclosed) "that I should continue to enjoy the appointment I had hitherto received in Norfolk Island." I accordingly received the full salary when in New South Wales, and half the salary while absent, up to the 7th of December, 1807, about which time I was ordered to embark from England to resume my situation in Norfolk Island, if the measures previously directed for removing the colony had not proceeded too far. 1811  
18 July.

I arrived at Port Jackson on the 30th of July, 1808, and remained there until the 17th of March, 1810—as will appear by the public dispatches from the Governor. I have, therefore, to request that the necessary directions may be given, under your Lordship's authority, for the issue of my half salary of Lieutenant-Governor to the period of my arrival there, and of my whole salary while in that country; and I trust it will not appear to your Lordship that there will be any objection to continue to me the half salary of the appointment when not on duty in the settlement, spontaneously bestowed upon me in the letter before quoted. Arrears of pay.

I earnestly entreat your Lordship's favourable consideration of the latter part of this request, which, I am informed, is by no means unprecedented; and I cannot but flatter myself my measures have been conducted with utility to the colony, and a due regard to public economy. In one branch of expenditure alone—that of provisions purchased for Government—I succeeded in reducing the price of meat threepence in the pound, by which a saving of upwards of £4,000 was obtained during my stay there, and the benefit of this reduction is probably still continued. Economic measures.

I have, &c.,  
J. FOVEAUX.

[Enclosure.]

EXTRACT of a letter from Lord Hobart, Secretary of State for the Colonies, to Lieutenant-Colonel Foveaux.

Downing-street, 24th June, 1803.

You will perceive that it is His Majesty's pleasure that Lieutenant-Colonel Paterson should proceed to the proposed colony\* and that you should return to head-quarters, where you will, in Colonel Paterson's absence, execute the duties of Lieutenant-Governor, as you will continue to enjoy the appointments you have hitherto received in Norfolk Island. Foveaux  
Lieutenant-Governor.

SURVEYOR-GENERAL GRIMES TO UNDER-SECRETARY PEEL.

No. 8, Queen's Square, Westminster,

Sir,

18th July, 1811.

Having long laboured under a very precarious state of health, I feel myself unable to continue to perform the laborious duties of surveyor to the colony of New South Wales in such a manner as Grimes  
resigns on  
account of  
ill-health.

\* That is the settlement at Port Dalrymple.

1811  
18 July.

it has ever been my most anxious study to do during a service of upwards of twenty years. I therefore respectfully beg leave to request that you will be pleased to move the Right Honorable the Earl of Liverpool to accept of my resignation of a situation which I trust I have during that period filled to the satisfaction of my superiors and credit to myself.

I had the satisfaction of receiving a letter from Mr. Cooke, dated July 8th, 1805, stating Lord Camden's pleasure to allow me five shillings per day extra for my past services. Should I be still considered deserving to have that remuneration continued to me, it will be the means of making the remainder of my life comfortable, the best part of which has been spent in His Majesty's service.

I have, &c., C. GRIMES,  
Surveyor of Lands, N.S.W.

LIEUTENANT OXLEY TO UNDER-SECRETARY PEEL.

8, Queen's Square, Westminster,

Sir, 18th July, 1811.

Oxley  
applies for  
appointment  
as surveyor.

Having learnt that Mr. Grimes has this day resigned his situation of Surveyor of Lands in New South Wales in consequence of ill-health, I am encouraged to hope you will not deem my present application to you to succeed him an act of presumption. Should I be so fortunate as to engage your favor, sir, my very best endeavours will be exerted to merit such a distinction, and the gratitude such kindness must inspire will end only with my life.

I have, &c.,  
J. OXLEY.

[Enclosure.]

*Memorandum.*

Oxley's  
services and  
qualifica-  
tions.

LIEUT'T John Oxley, of the Royal Navy, presented a memorial to Mr. Peale, the Under-Secretary of State some time ago, praying to receive the situation of Naval Officer in the colony of New South Wales, an appointment of £100 per annum, and which Mr. Oxley is particularly qualified to fill. A long term of service in that country as First Lieutenant of H.M. ships Buffalo and Porpoise successively, and commander on various urgent occasions of vessels in His Majesty's Colonial service, has enabled him to gain every kind of local information. He has been actively instrumental in effecting some of the most important and useful nautical surveys taken in that distant and unknown part of the world. He is now on the eve of publishing a pamphlet containing sailing directions for the intricate navigation of the South Seas, to which are added some remarks on Colonial policy. He is a young man of considerable talents, of excellent principles, of strict honor and integrity, indefatigable in the duties of his calling, and has invariably gained the esteem of his brother officers.

Talents and  
principles.

Should Mr. Oxley be fortunate enough to obtain the appointment in question, his friends are confident that his past conduct and character furnish a powerful guarantee for his performing the duties of it with such an industrious and unremitting assiduity and attention as cannot fail to benefit His Majesty's service in that colony, at the same time that it will do credit to the individual whom they condescend to select and honor with their patronage.\*

1811

18 July.

Eulogies of friends.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney, Thursday, 25th July, 1811.

25 July.

His Excellency the Governor has been pleased to appoint Lieutenant Thomas Skottowe, of the 73rd Regiment, to be Commandant of the settlement of Newcastle, and also to be justice of peace and magistrate in that district during the continuance of his command in it.

The Commandant at Newcastle.

Lieutenant Skottowe's salary as Commandant of Newcastle will commence from the date of his receiving charge of that settlement from Lieutenant Purcell.

## EAST INDIA COMPANY TO EARL LIVERPOOL.

My Lord,

East India House, 25th July, 1811.

We have had the honor of receiving and of laying before the Court of Directors of the East India Company your Lordship's letter of the 24th ultimo, communicating the recommendation of the Lords Commissioners of the Treasury that instructions may be sent to India to cause a remittance of dollars to the amount of £10,000 to be sent thence to New South Wales, whereby the great inconvenience, under present circumstances, of sending specie out of this country would be spared, and the settlement of New South Wales would be very much benefitted.†

Dollars from India

And we are directed by the Court to acquaint your Lordship, in reply, that they will most readily, as far as in their power, comply with the recommendation of the Lords Commissioners of the Treasury; but as the Court have no means of forwarding the dollars from India to New South Wales, they submit to their Lordships the expediency of proper persons in India being appointed by Government to complete the transaction there. Should this proposal be approved, the Court will, in consequence, issue, to such persons as their Lordships may be pleased to appoint, bills of exchange on India for the sum required, payable at a fair rate of exchange, the amount being deposited in the Company's treasury in England.

to be sent by East India Company.

We have, &amp;c.,

JACOB BOSANQUIT,  
HUGH ENGLIS.

\* The document bears no signature.

† See Macquarie's letter of 30th April, 1810, ante, p. 348.

1811

## EARL LIVERPOOL TO GOVERNOR MACQUARIE.

26 July.

Sir,

Downing-street, 26th July, 1811.

Macquarie's  
dispatches.

Your dispatch of the 27th October, 1810,\* and your three preceeding dispatches, have been received, and have been submitted to His Royal Highness the Prince Regent.

The Court-  
Martial on  
Johnston.

The decision of His Majesty's Government must be necessarily so much influenced by the result of the proceedings of the Court-Martial which has been recently assembled on Lieut.-Colonel Johnstone that I have been under the necessity of deferring a communication on several important points adverted to in your letter until the sentence of that Court-Martial was made public.

Macquarie's  
actions  
approved.

I have received the commands of His Royal Highness the Prince Regent to signify to you His R. Highness's approbation generally of your conduct in your civil capacity; and it does not appear necessary further to advert to the several measures which were taken by you on your arrival in the colony, and which are fully detailed in your dispatch, No. 3†, than to acquaint you that they are severally approved of.

Importation  
of spirits.

There appears great reason to apprehend that the reduction of the duties upon the free importation of spirits, and the consequent fall of the retail price, might lead to the reverse of the consequences which you expect. Inveterate habits of drunkenness and dissipation among the lower orders of the people are, I fear, more likely to be increased than checked by the facility of indulgence.‡

To the free importation of spirits there can be no objection, provided that the duty upon them is fixed at that rate which shall, on the one hand, prevent excess by the dearth of the article, and shall not at the same time hold out an encouragement to private distillation, which the utmost vigilance and severest penalties on detection cannot counteract.

The duty on  
spirits.

The amount of duty is left to your own discretion. The rate of 16s. p. gallon proposed in L'd Castlereagh's dispatch of the 14th May, 1809,§ is probably too high; but the reduction of it to one-fourth of that sum, as suggested in your dispatch of the 30th April, appears at least equally objectionable in the other extreme.

The Govern-  
ment farm.

The reasons advanced by you for a continuance of the farm on the Government account,|| under present circumstances, are satisfactory; but I cannot too strongly recommend to you the strictest attention to economy in every department connected with the management of it. The necessity of it is enjoined not merely by every consideration of frugality in the expenditure of the public

\* The despatch, 27th October, 1810, will be found on p. 437. The three preceding despatches were dated 8th March, 12th March, and 30th April; they will be found on pp. 309, 312, and 335 respectively. The letter of 10th May, 1810, ante, p. 377, was a private one.

† This is the letter, 8th March, 1810, ante, p. 300.

‡ See paragraph No. 26 of Macquarie's despatch of 30th April, 1810, ante, p. 333.

§ Ante, p. 145. Castlereagh's suggestion was to bring the importation price up to 16s. per gallon.

|| Ante, p. 339.

money, but by the beneficial effects which must be produced by an example of good management necessarily so public. 1811

The division of the Colonial revenue into two distinct funds, and the appropriation of it to the purposes specified in your letter,\* are entirely approved of. Mr. Grimes has resigned the situation of Surveyor of Lands, and I shall take due care that the vacant appointment is filled by a person of requisite qualifications for the duties of that office. 26 July.  
The Colonial revenue.

Your recommendation of Mr. D'Arcy Wentworth has been attended to, and that gentleman has received the commission of Principal Surg'n of the Civil Medical Department. D'Arcy Wentworth.

Mr. Redfern will succeed to the situation of Assis't Surgeon, Dr. Redfern. vacated by Mr. Wentworth.

I cannot avoid noticing the amount of bills which have been drawn by the Act'g Commissary on the Lords Commissioners of the Treasury. You state in your dispatch of the 27th October, 1810,† in accounting for this great increase of expenditure, that large sums have been necessarily demanded for the erection of barracks and other public buildings. I trust that no public buildings whatsoever have been commenced, the construction of which was not indispensibly required for the public service, and that you have directed your utmost vigilance to prevent unnecessary expenditure in the execution of the works now in progress. Heavy expenditure.

His Royal Highness the Prince Regent will have particular satisfaction in witnessing every exertion on your part to lessen the charge of the colony under your government to the mother country.

I have been informed by my predecessor, L'd Castlereagh, that there is a person now resident in the colony of New South Wales who left this country with a promise that he should receive the appointment of Naval Officer, and that a notification should be made to the Governor on the subject which was inadvertently omitted. The name of this person is — Hartley,‡ and you will lose no time in directing him to take upon himself the discharge of the duties of this office, and you will authorize him to receive the fees at present established as a remuneration for his labours. The Naval Officer.

I have submitted to His Royal Highness your recommendation§ that a company of invalids to the extent specified in your letter should be attached to the 1st Ba. 73rd Reg't, or to such other corps as may hereafter be stationed at New St. Wales, and His An invalid company.

\* Ante, p. 342.

† Ante, p. 440.

‡ John Hartley arrived in the colony in the year 1800, when the military officers were in power. As he brought no credentials from the office of the Secretary of State he was treated as an imposter. Macquarie on arrival regarded him as such, and when he received this letter, deferred complying with the orders it contained until he could report on the man to England and get a reply. Macquarie's report was very unfavourable. Pending the decision of the Government, however, he allowed him a servant, victualled him and his family from the public store, and proposed that he should be paid at the rate of 5s. per day from the date of his arrival in the colony till the receipt of final orders from England.

§ Ante, p. 343.

1811  
26 July. Royal Highness has been graciously pleased to approve of the formation of this company, and a communication to this effect has been made by my directions to the Comm'r-in-Chief. I cannot conceal from you my opinion that the new appointments recommended by you in the several paragraphs from No. 54 to 58 inclusive\* are on a more extensive scale than the due execution of the public service can require. There are many objections to the employment of military officers in civil capacities, and every precaution should be taken, particularly in a colony of the description of that under your government, to prevent the interference of their respective duties.

A Barrack-master. A salary to the amount of £100 p. annum will be proposed in the estimate of the colony to be submitted to Parliament in the ensuing session as a remuneration for the services of a barrack-master. The appointment of Mr. Campbell is confirmed; but I cannot recommend an addition of more than one hundred pounds p. annum to the salary which is already attached to the situation of secretary to the Governor by vote of Parliament, nor a provision for the establishment of his office to the extent proposed by you.†

An addition of £120 for the salaries of two clerks will be made to the next estimate.

Evacuation of Norfolk Island. Many considerations concur in demonstrating the policy of taking immediate measures for the entire evacuation of Norfolk Island.‡ You will therefore lose no time in carrying into effect your own suggestions on this point. You will give every facility in your power to the inhabitants in the removal of their property, and you will assure them that in the future disposal of them their comforts and convenience will not be overlooked, and that every reasonable claim for remuneration for loss that may have been sustained by their removal will receive favourable consideration.

Disposal of settlers. The best mode of disposing of the settlers, and of making an equitable compensation to those who have suffered real injury from the change of residence, is left entirely to your own discretion, as all decisions of this nature must be so much influenced by local circumstances as to make it inexpedient to convey positive instructions from which there would probably be an absolute necessity to depart. You will also be best enabled to judge of the propriety of bringing away the Government cattle. It will of course be determined by the proportion which their value bears to the expence of their removal. The cattle might be killed, and

and live-stock.

\* The paragraphs referred to were those of Macquarie's despatch of 30th April, 1810, Nos. 54, 55, and 58, relating to the appointment of a Barrack-master and a Deputy Paymaster, and recommending a large increase in the Secretary's salary. They will be found on p. 344, ante. The contents of paragraphs 56 and 57 will be found condensed into paragraph 9 of Macquarie's despatch of 12th March, 1810, ante, p. 313.

† Macquarie recommended (par. 58 of despatch of 30th April, 1810, ante, p. 344) that the Secretary's salary be not less than £365 per annum. It was fixed at £282 10s.

‡ See paragraph 60 of Macquarie's letter of 30th April, 1810, ante, p. 344.

an opportunity would be thus afforded of making a considerable increase to the stock of salt provisions at probably a smaller charge than it could be otherwise procured at. 1811  
26 July.

The impolicy of the original settlement of this island has been fully demonstrated, and His Majesty's Government are convinced that more benefit to the colony will be derived from the cultivation and improvement of the settlements that are already formed than from the formation of new and distant establishments, whatever may be the encouragement that a fertile soil or an advantageous situation may appear to hold out. A mistake.

Port Dalrymple will be in future considered a dependency of the Derwent River, and will be united with it under one Lieutenant-Governor, who will be subject of course to the direct controul of the Governor of the colony, who will report to him on all matters relating to civil and military government. Settlements on Van Diemen's Land.

A salary of £800 per ann. will be proposed in the next estimate as a provision for the salary of the Lt-Governor\* ; and the commander of the troops at Port Dalrymple will receive 10s. per diem in addition to his military allowances. Salary of Lieutenant-Governor.

I herewith transmit to you the copy of a letter† which I have addressed to Lt-Col. Foveaux, in answer to an application made by him for the Lt-Government of these settlements, and a reference to the good opinion expressed by you of his former services. As I wished not to form any decision upon the propriety of Colonel Foveaux's appointment until the proceedings of the Court-Martial had concluded, and as I was willing, had other circumstances permitted me, to pay every attention to your recommendation in his favour, the shortness of the period which has elapsed since the publication of the sentence has not yet enabled me to select a person whose name I can submit to His Royal Highness the Prince Regent for the appointment.‡ Lieutenant-Colonel Foveaux.

You are authorised to provide a passage to this country by the first opportunity that may occur for the detachment of marines now doing duty in Van Diemen's Land. I herewith enclose copies of a correspondence which has taken place with the Lords Commissioners of the Admiralty on the subject. Their Lordships have no objection to permission being given to such of the marines as are married, have families, and are men of good character, to remain in the colony. Marines serving in Van Diemen's Land.

The indulgencies formerly promised to such individuals of this Corps as might ultimately settle in this colony may be extended to them.

\* That is, the Lieutenant-Governor in charge at Hobart. The salary of Lieutenant-Governor O'Connell, stationed at Sydney, remained at £250 per annum.

† Ante, p. 555.

‡ Major Thomas Davey was appointed on September, 1811.

1811  
28 July.  
Missionaries.  
Proposal to  
establish a  
bank.

I entirely approve of your having victualled at the public expence the missionaries whom an insurrection in Otaheite compelled to take refuge in the colony of New South Wales.

Dollars from  
India.

I directed a copy of that part of your dispatch\* which sets forth the great inconvenience which is found in the want of specie, or of a substitute in legal currency, and which proposes the establishment of a bank in principle similar to that on which the bank at the Cape of Good Hope is founded, to be submitted to the consideration of the Committee of Privy Council for Trade and Foreign Plantations; and I herewith enclose the copy of a letter which has been addressed to this department by the direction of their Lordships. I entirely concur in the opinion of their Lordships that there are many objections to such an institution in the colony of New South Wales, and cannot therefore authorise you to carry into effect the measure which you have proposed. I have, however, recommended to the L<sup>ds</sup> Commissioners of the Treasury, according to the suggestion of their Lordships, the issue of dollars to the amount of £10,000 for the service of the colony. The Lords of the Treasury have thought, under the present scarcity of specie in this country, that dollars to that amount could not conveniently be spared; but I have made an application to the Directors of the East India Company, requesting that dollars to the amount above specified may be shipped on the Government account from such part of the company's territories in India from which there will be the best opportunity of conveyance to New South Wales. I trust that this application may be complied with, and that much benefit will be derived to the colony from the circulation of the coin.†

Davey's  
salary.

The appointment of a L<sup>t</sup>-Governor to the settlements in Van Dieman's Land with an increased salary‡ will probably render the necessity of frequent visits to the out-settlements less urgent; and I trust, therefore, that the salary now provided for the Lieut-Governor of the colony by vote of Parliament will be found sufficient.

The  
Governor's  
bodyguard.

With regard to the establishment noticed in the 74th paragraph of your dispatch,§ which is usually denominated the Governor's Body-guard, as I am not aware of the existence of one of a similar description in any of the Colonial possessions of His Majesty, I have great doubts of the propriety of its continuance. If the reduction of it will not be productive of any real inconvenience, it ought immediately to take place, and I cannot, upon any account whatever, sanction the increase proposed in your letter.

Grants to  
settlers.

I shall attend to your suggestion with regard to the inconvenience that has been found from the specification in the Secretary of

\* Ante, p. 349.

† See the reply of the East India Company, ante, p. 558.

‡ Lieutenant-Governor Collins's salary was £450 per annum. From 1st January, 1811, the salary was raised to £800 per annum.

§ Ante, p. 350.

State's letter of the quantity of land and cattle which free settlers are to receive. I shall recommend in general terms such as appear deserving of notice, and it will in future be left to you to regulate the extent of the grants made to them. 1811  
26 July,

If the traffic carried on in the colony is such as to require greater facility of communication, it is undoubtedly material that bridges should be constructed and permanent roads formed ; but these improvements will be the offspring, rather than the cause, of internal prosperity, and I trust that mere speculations of improvement will not induce you to incur any unnecessary expense.\* Public works.

I am not aware of any objection to the grant of lands in freehold, if encouragement will be given thereby to the construction of more permanent dwellings. You will, of course, take care that no land within the town is alienated of which the interests of the Crown or of the public service are likely to require the reservation.† Town grants.

I had not been previously informed that the table of the Governor was supplied from the herds of Government cattle.‡ The long continuance of the practice, which is in itself an objectionable one, can alone induce me to sanction it ; but I have much satisfaction in observing the precaution which your sense of propriety induced you to take in order that you might be enabled to resign, without difficulty, any advantage which His Majesty's Government might not have thought it proper to allow.

Provision for a salary of £60 per annum to the printer shall be proposed in the Colonial estimate to be submitted to Parliament in the ensuing session.

I am aware that there are some points in your dispatches upon which I have not been enabled to communicate to you the decision of His Majesty's Government, but no time shall be lost in bringing them severally under consideration. LIVERPOOL.

#### EARL LIVERPOOL TO GOVERNOR MACQUARIE.

Sir. Downing-street, 26th July, 1811.

I have received from Capt. Lawson, Capt. Kemp, and Lieut. Bell, officers serving in the New So. Wales Corps at the period of Capt. Bligh's suspension from the civil government, the memorials of which the copies are herewith enclosed.§ Officers' memorials.

It appears that these individuals had received grants of land from the persons who administered the usurped Government, Land grants.

\* See paragraph 93 of Macquarie's despatch of 30th April, ante, p. 356.

† In his letter of 30th April, 1810 (ante, p. 351), Macquarie (paragraph 78) recommended that grants of land in fee simple be made in Sydney—instead of leaseholds—to persons who would put up handsome and permanent houses.

‡ See paragraph 79 of Macquarie's despatch of 30th April, 1810, ante, p. 352

§ The enclosures are not available.

1811. which, under the instructions received by you from Lord Castlereagh, were subsequently revoked and declared null and void.
- 20 July. The sentence of the Court-Martial recently assembled for the trial of Lt.-Col. Johnstone has now been made public; and it is not considered necessary to institute further proceedings against the officers who were implicated with him in the transactions which led to the deposition of Capt'n Bligh.
- Officers not to be prosecuted.
- Grants to be confirmed in certain cases.
- Although it is evident that there can be no claim of right for the confirmation of the grants which were made under Col. Johnstone's or Col. Foveaux's administration, yet should it appear, after a strict investigation into the motives by which they were influenced in making them, that these grants really were what they are stated to have been—the reward of meritorious exertions—it has been determined that the part which these individuals may have taken in the proceedings before alluded to shall not necessarily operate as an exclusion to them from the benefit of a future renewal.
- Decision left to Governor.
- I have, therefore, referred their memorials to you; and as your local means of information will best enable you to ascertain the correctness of their respective statements, I have left it to your discretion to determine upon the propriety of acceding to the prayer of them in the whole or in part.
- Bell's grant.
- With regard to the grant first referred to by Lt. Bell, there can be no objection to its immediate confirmation, as he ought to have received it previously to the commencement of the proceedings which terminated in the suspension of Capt'n Bligh.

LIVERPOOL.

## GOVERNMENT PUBLIC NOTICE.

Head-quarters, Sydney, 27th July, 1811.

- 27 July.
- Grants of live-stock.
- It is His Excellency the Governor's desire, that those settlers who have already obtained his promise to grant them a proportion of horned cattle from the Government herds, shall attend at the Commissary's office on Monday, the 26th of August next, accompanied by their required securities, in order to perfect the prescribed bonds; on which occasion orders will be issued to the superintendant of Government herds to put them in possession of the cattle so contracted for.
- Land grants.
- All such persons as have lately been promised lands in the new districts of Airds, or Appin, and have not yet had them measured out for them by the acting surveyor, are hereby directed to attend him for that purpose in those districts between the 1st and the 15th day of the next month of August; as those who do not now attend the surveyor, agreeably to this public notice, cannot have their allotments measured out for them till next year.

## GOVERNMENT PUBLIC NOTICE.

1811

Head-quarters, Sydney, 27th July, 1811.

27 July.

CONSIDERABLE inconvenience and trouble being experienced in the different public departments, and His Excellency the Governor's own time being much and unnecessarily encroached upon by the frequent and irregular applications of individuals for grants of land and the indulgence of cattle from the Government herds, notwithstanding the public order and notice already issued on that subject, forbidding such daily applications, and prescribing fixed periods for their being made: His Excellency now deems it expedient to apprise the public that he has determined on one definite period in each succeeding year for the receiving of applications on both the foregoing subjects; and the public are now to take notice that His Excellency will not in future receive such applications at any other time than within the month of June, at which time His Excellency will be prepared to receive all regular applications for land or cattle. It is further to be clearly understood, that however regular applications may be with respect to the time now prescribed, they will not be attended to unless accompanied by certificates from the magistrate or clergyman of the district wherein the applicants reside, testifying their being honest, sober, and industrious, and in their opinion deserving of such favour from Government.

Applications  
for grants  
of land and  
cattle to be  
made at  
stated times.

## GOVERNMENT PUBLIC NOTICE.

Head-quarters, Sydney, 27th July, 1811.

WITH an earnest and ardent wish to rescue the settlers and their families who live within the calamitous influence of the floods on the banks of the Hawkesbury and Nepean from the distressing and frequently recurring destruction of their grain, cattle, and property, to which they are exposed in their present residences, His Excellency again calls upon those settlers, and exhorts them (whilst they yet have it in their power) to lose no time in removing their habitations to those high grounds in the different townships, which His Excellency, in his solicitude for their welfare, has marked out for their secure retreat.

Settlers on  
low lands.

Should any persons still continue obstinately and most unwisely to expose themselves to the destructive ravages of those floods, they will have (most probably when it may be too late) to lament their want of common discretion, and neglect of His Excellency's repeated admonitions and exhortations. Persons acting thus in opposition to His Excellency's wish and desire, and contrary to common sense and propriety, are now assured that they will thereby forfeit all claim to any further extension of His Excellency's favour, and will be totally excluded from further participation in those indulgencies which it is His Excellency's wish to extend to the industrious and deserving, and to them only.

A warning to  
the im-  
provident.

1811  
27 July.  
Neglected  
land grants.

The time limited for the delivery of the lately made out grants of land being now expired, and several persons having neglected to call for and receive them, notice is hereby given that His Excellency has been pleased to extend the time for their delivery until the 24th day of September next; and the public are informed that unless called for and taken out before the said 24th of September, His Excellency has determined that they shall be then cancelled, and those persons in whose names they have been made out shall not receive them, or any others in their stead; and the lands so located will be made over in grants to other more deserving applicants.

GOVERNMENT PUBLIC NOTICE.

Head-quarters, Sydney, 27th July, 1811.

Quarterly  
reports of  
deaths.

Particulars  
to be stated.

HIS Exc'y the Governor hereby directs, that the Principal Surgeon at head-quarters, the Assistant Surgeons in the out settlements and dependencies, and the magistrates and clergymen in the several districts, shall make regular quarterly reports to him, through the medium of the Secretary's office, of all the deaths or casualties which may occur under their superintendence, or within the districts wherein they reside. And His Exc'y directs that those reports shall state the age, country, and description of the deceased, so far as circumstances may admit, specifying whether free settler, free or conditionally pardoned convict, free by servitude, or then convict, in all which cases it is required that every possible information may be collected, so as perfectly to identify the person of the deceased, and thereby prevent the practising of frauds under fictitious names, which have been not unfrequently discovered to take place among the convicts. In cases of the deaths of convicts, or of persons who had been so, the best information which can be collected respecting the times and places of their original trials and sentences, and the names of the ships by which they had been transported hither, is expected to be procured and transmitted to the Secretary's office.

His Excellency desires that these quarterly reports shall have a retrospect, so as to embrace all the deaths and casualties which have occurred since the 1st of January of the present year.

EX-GOVERNOR BLIGH TO SECRETARY CROKER.

2 Aug.  
Bligh  
appointed  
a Rear-  
Admiral.

Sir,  
Durham-place, Lambeth, 2nd August, 1811.

I have the honor to acknowledge the receipt of your letter, dated 31st July, 1810, conveying to me the distinguished mark of appointment as Rear-Admiral of the Blue Squadron, by the command of my Lords Commissioners of the Admiralty, in the late promotion of flag officers of His Majesty's fleet; and I beg you will inform their Lordships that I am highly sensible of the honor done me, and with the most devoted attention shall be happy to obey any commands they may hereafter honor me with.

I have, &c., W<sup>M</sup> BLIGH.

MESSRS. ERSKINE AND KING TO THE TREASURY.

1811

My Lords,

Comptroller's Office, 3rd August, 1811.

8 Aug.

Mr. Harrison having, on the 29th May last, transmitted to us a letter from the Commissary-in-Chief, dated 18th May, 1811, with its enclosures, submitting a new establishment for the Commissariat at New South Wales, and signified to us the commands of your Lordships that we should consider the same and report our opinions thereupon. We have accordingly had the several papers under our consideration, and have been attended by Mr. Commissary Palmer, who, having been for many years at the head of the Commissariat in that country, is now in this country; and we report to your Lordships our opinion that the general regulations established for the commissariats on foreign stations are in many particulars inapplicable at a colony circumstanced like New South Wales.

Reorganising the Commissary's department.

The duties of the Commissary at this colony are much more of a civil than of a military nature. He has the charge of providing, keeping, and issuing all the stores and provisions for the convicts and civil establishment of the colony, as well as for the troops; and should the civil government and military command ever again be vested in different persons, the Commissary must be under the control of the former, and guided by any regulations prescribed by the Secretary of State for the Colonial Department.

Commissary's duties.

It may, however, be desirable that the officers of the Commissariat at New South Wales should be taken from the general list of the regular Commissariat, and hold corresponding ranks with those on other stations, and be permitted to look forward to promotion, either at that colony or upon being removed to other stations, as the reward of diligent and meritorious service; but we are of opinion that the pay and allowances to be allowed to them should be fixed with reference to the local circumstances of their situation rather than be made precisely conformable to those given on general foreign service.

Status of officers.

Another material advantage may be expected from assimilating the accounts of the Commissariat at New South Wales to those of other foreign stations as nearly as may be practicable, thereby introducing some order and method into what is at present nothing but confusion, the past store accounts being incapable of any regular examination, and having every appearance of having been framed with the express view of frustrating all inquiry.

Confused records.

Information has been transmitted to us of various irregularities practised by Mr. Palmer; but as this communication seemed probably to have arisen as much from private pique as from any zeal for the public service, and as the charges were not sufficiently specific to have enabled us to institute a formal enquiry into their

Commissary Palmer.

1811

3 Aug.

truth, we have not thought it necessary to take any steps in consequence ; but this circumstance, coupled with our own observations on Mr. Palmer's accounts, induce us to concur fully with the Commissary-in-Chief in thinking it inexpedient that Mr. Palmer should again be placed at the head of the Commissariat in New South Wales. Should he be employed on any other service it will, we apprehend, be necessary to give him a regular commission in the Commissariat, with such rank as the Commissary-in-Chief may recommend, and your Lordships may think fit, his present being entirely local and having originated in the office of the Secretary of State.

Cost of the  
establishment.

The Commissary-in-Chief submits to your Lordships the present establishment of the Commissariat at New South Wales, amounting to £1,700 p'r an'm, together with that proposed by him, amounting to £2,382 3s. 9d. p'r an'm. To this last, however, must be added the annual sum of £525 for persons holding situations included in the present establishment, but for which no provision is made in that proposed by the Commissary-in-Chief. The nature of these situations is specified in the enclosed paper (marked A), and tho' not regularly belonging to the Commissariat are necessary for the public service, and, of course, some provision must be made for paying the salaries.

Rank and  
salaries of  
officers.

We submit to your Lordships' our opinion that the nature of the duties of the Commissariat at New South Wales do not require an officer of a higher rank than an Assistant Commissary-General at the head of the department, with three Deputy Assistant Commissaries-General under him, of whom the senior only need have a Treasury constitution with the pay of 5s. p'r diem ; that the three chief clerks should have salaries of £100 each p'r an'm, the others £80 each, and the storekeeper's £75 p'r an'm ; and that an additional allowance of £10 p'r annum should be granted by the Governor to such of the clerks and storekeepers who, having served ten years, can be recommended by the head of the department as having been diligent and faithful.\*

Recapitulation.

The total establishment as proposed by us is detailed in the enclosed paper (marked B), and amounts to £1,977 13s. 9d. p'r an'm, to which must be added the amount of the other list (A), £525. The result therefore is as follows :—

	Number of Persons.	Amount per annum.
		£ s. d.
Present establishment... ..	22	1,700 0 0
Proposed by Com'y-in-Chief ...	26	2,907 3 9
Proposed by us... ..	25	2,502 13 9

We have, &c.,  
J. ERSKINE,  
J. KING.

\* Compare the letter of Lieutenant-Colonel Gordon, ante, p. 532.

# THE COMMISSARIAT DEPARTMENT.

571

[Enclosure A].

1871

EMPLOYMENTS included in the present establishment of the Commissariat in New South Wales not strictly belonging to the Department.

3 Aug.

Superintendents.

Station.	Employment.	Pay per Annum.
		£ s. d.
Sydney .. .. .	Superintendent of convicts .. .. .	75 0 0
	do of blacksmiths .. .. .	50 0 0
	do of Government mills .. .. .	50 0 0
	Extra do of carpenters .. .. .	50 0 0
Parramatta .. .. .	Superintendent of Government stock .. .. .	100 0 0
	do of the factory .. .. .	50 0 0
	do of carpenters .. .. .	50 0 0
Castle Hill .. .. .	Acting do of constables .. .. .	50 0 0
	Superintendent of agriculture .. .. .	50 0 0
		525 0 0

[Enclosure B.]

PROPOSED establishment for the Commissariat at New South Wales.

Proposed establishment.

Station.	Rank.	Pay p'r day.		Pay p'r annum.	Total am't p'r annum.
		War Office.	Treasury.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
Sydney .. .. .	Ass't Com's'y-General .. .. .	0 14 3	0 5 0	351 8 3	
	D'y do do .. .. .	0 9 6	0 5 0	264 12 6	
	A clerk .. .. .			100 0 0	
	do .. .. .			80 0 0	
	Storekeeper do .. .. .			100 0 0	
Parramatta .. .. .	Storekeeper .. .. .			75 0 0	970 13 9
Hawkesbury .. .. .	do .. .. .			75 0 0	75 0 0
Newcastle .. .. .	do .. .. .			100 0 0	75 0 0
Hobart Town .. .. .	D'y Ass't Com'y-Gen'l .. .. .	0 9 6		173 7 6	100 0 0
	A clerk .. .. .			80 0 0	
	Storekeeper .. .. .			100 0 0	
	do .. .. .			75 0 0	
Dalrymple .. .. .	D'y Ass't Com'y-Gen'l .. .. .	0 9 6		173 7 6	428 7 6
	Clerk .. .. .			80 0 0	
	Storekeeper .. .. .			75 0 0	
Norfolk Island .. .. .	Given up .. .. .				328 7 6
					1,977 13 9
				A3d List A .. .. .	525 0 0
				Total .. .. .	2,502 13 9

An additional allowance of £10 p'r ann'm to be granted by the Governor to such of the clerks and storekeepers as may have served ten years, and shall be recommended by the head of the Department.

1811

MAJOR DAVEY TO EARL LIVERPOOL.\*

5 Aug.

My Lord,

Cambridge, 5th August, 1811.

Davey  
applies for  
Lieutenant-  
Governor-  
ship of  
Hobart.

I deem it a duty incumbent on me to acquaint your Lordship that I have solicited Lord Harrowby to make known to your Lordship my wish to succeed to vacancy of the late Colonel Collins, on the island of Van Dieman's Land ; and, I trust, my Lord, it will not be thought presumptuous or premature in me to present a petition to your Lordship on the occasion, and to observe that should your Lordship deem it expedient, at any future period, to consolate the settlements of Hobart and Port Dalrymple under one officer, I will readily make a voluntary tender of my services to raise two companys consisting of two hundred effective men, exclusive of commission and non-commission officers, for the protection of the settlement ; and I shall feel a pride in providing two men eminent in agriculture that have sound geononical knowledge, and who will be found, as population spreads, indispensably requisite for the preservation and support of the settlements. And, my Lord, I beg leave to observe that from the period I entered His Majesty's service to the present hour, it has been my good fortune to possess the countenance and encouragement of Lord Harrowby, whose laudable promptitude guides him towards every object by which the commonweal may be eventually benefited. Under these impressions I cannot help, my Lord, indulging a confidence and the proud consolation of securing the good opinion of your Lordship. Trusting that no expression has escaped me that can be construed to mean the slightest disrespect, or render my application unworthy of your Lordship's high patronage, I bow, with every degree of respect and submission, and have the honor to subscribe myself, &c., &c.,

THOS. DAVEY.

P.S.—I beg your Lordships will pardon the writing, as I have materially injured my right hand.

[Enclosure.]

Cambridge, 4th August, 1811.

To the Right Hon'ble the Earl of Liverpool, Principal Secretary of State for the Foreign Department, &c., &c., &c.

The humble petition of Major Thomas Davey, of the Royal Marines,—

Sheweth :

Davey's  
Colonial  
experience

That your petitioner was on the first establishment of the colony of Port Jackson, in New South Wales, and rendered every assistance in his power in the agricultural improvements of that settlement under every difficulty.

That your petitioner has the satisfaction to observe to your Lordship that he was, by an order of Government, selected from

\* See also Davey's letter of 28th November, 1810, ante, p. 462.

the detachment of marines to remain in the colony until a sufficient military force arrived to replace the detachment of marines who had sailed to England in His Majesty's ship the Gorgon. 1811  
5 Aug.

That your petitioner returned to England with the Governor, now Admiral Phillip, without any impeachment to his character, having obtained a complete knowledge of the native language, the custom and manners of the inhabitation, the production of the soil in every branch of agriculture. Returned with Phillip.

That your petitioner humbly begs your Lordship will be graciously pleased to take his services in that country into consideration, and permit him to solicit your Lordship's high patronage in nominating him to the office now vacant by the death of Colonel Collins, late of the settlement of Hobart ; or he would be equally proud in an appointment to the settlement of Port Dalrymple, and consider the day of his appointment the proudest of his life, and by the discharge of the duties of his office, with the strictest attention and integrity, convince your Lordship of his gratitude. Wishes to succeed Collins.

And your petitioner will, as in duty bound, ever pray.

THOS. DAVEY,

Major and Inspecting Field Officer, Royal Marines.

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PROVOST-MARSHAL GORE TO EARL LIVERPOOL.

My Lord, Tuesday, the 6th of August, 1811. 6 Aug.

Having been ordered to this country by the present Governor of New South Wales as an evidence on the part of the Crown against the late Lieutenant-Colonel Johnston and other insurgents, should your Lordship no longer require my attendance in England I beg leave, most respectfully, to solicit that your Lordship will be pleased to order me a passage on board one of the ships which are now destined for Port Jackson, in order that I may rejoin my numerous and infant family, and resume the duties of my appointment. Gore wishes to return to colony.

I have, &c.

W<sup>M</sup> GORE,

Provost-Marshal to the Settlements in His Majesty's territory of New South Wales.

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EX-GOVERNOR BLIGH TO EARL LIVERPOOL.

My Lord, Durham-place, Lambeth, 6th August, 1811.

Embarrassed as I have been by the usurpers of His Majesty's Government in the colony New South Wales seizing and taking away my commissions, instructions, letter books, Colonial order book, and a valuable correct book of a survey of the whole colony, of much importance to Government, completed to the 1st January, 1808, giving a description of the people and cultivation, together with many valuable documents which could not be found at the time of my departure from my Government, as Bligh's papers seized.

- 1811  
6 Aug. certified by the present Governor Colonel Macquarie,—I am encouraged, on hearing that my letter book, containing copies of my letters to His Majesty's Secretary of State, are now in the possession of Mr. McArthur and the late Lt. Col. Johnston, and particularly as a paragraph out of the said letter book, communicating my opinion to my Lord Castlereagh, was daringly produced in Court at the late trial and read, to acquaint your Lordship thereof, and to solicit your Lordship to cause some proceedings to be instituted against them by the Crown to put me in possession of these books and papers, and for the offence of taking these documents from me by rebellious force and on which they presumed to constitute complaints, to the great injury of the colony.
- High's papers in possession of Macarthur and Johnston.
- Crown witnesses. I have farther to represent for your Lordship's consideration how far it may be necessary that the persons who have come Home as witnesses for the Crown, should be examined in order to investigate the expenditure of His Majesty's monies, cattle, stores, the grants and leases of land given away, and the free pardons and emancipations given to lawless convicts who have by that means returned to this country during the time of the usurpation from the 26th January, 1808 to the 1st January, 1810, when Governor Macquarie arrived.
- John Macarthur. I feel it my duty to represent these things to your Lordship, as some of the witnesses may otherwise return to New South Wales, and not be here should their evidences be required, particularly if Mr. McArthur is to be proceeded against for his tampering with the soldiery before the 26th January, 1808, and for writing the rebellious paper delivered to Mr. Oakes, the Chief Constable, setting the civil power of the colony at defiance, and otherwise assisting in the usurpation of the Government; or any other of the offenders, as named in my dispatches of the 30th June, 31st August, and 10th September, 1808, to my Lord Castlereagh, and particularized, conformable to the request of the Judge-Advocate General, in my letter to him of the 16th November last, of which the inclosed is a copy.\*
- Other rebels.
- Blaxcell and Bayly. To conclude these representations, I beg leave to mention to your Lordship that Garnham Blaxcell and Nicholas Bayly, two principal rebels, remain at Sydney. I have, &c.,  
W'M. BLIGH.

## GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney,

Saturday, 10th August, 1811.

10 Aug.  
Prince of  
Wales'  
Birthday.

MONDAY next, being the anniversary of His Royal Highness the Prince of Wales's birthday, the Royal Standard is to be hoisted at sunrise at Port Phillip, and the Union at Dawes's Battery.

\* See Bligh to Manners Sutton, 16th November, 1810, ante, p. 450.

At noon a Royal salute is to be fired from Dawes's Battery, and immediately afterwards the 73rd Regiment will fire three volleys on the regimental parade in honor of the day. 1811  
10 Aug.

The Acting Commissary is directed to issue a donation of half a pint of spirits and an extra ration of one pound of fresh beef to each non-commissioned officer and soldier of the 73rd Regiment and detachment of the 102nd Regiment; also an extra ration of one pound of fresh beef to each of the mechanics and labourers in the immediate service of Government, on Monday next, in honor of His Royal Highness's birthday. Spirits and beef.

His Excellency the Governor is pleased to dispense with the work of the mechanics and labourers in the immediate service of Government, in the town of Sydney, on the three race days in the ensuing week, namely, Monday, Wednesday, and Friday; but they are to attend their work as usual on the three other days of that week. Three days' holiday.

## MEMORIAL OF FRANCIS OAKES.

12th August, 1811.

12 Aug.

To the Right Hon'ble the Earl of Liverpool.

The memorial of Francis Oakes,—

Most respectfully sheweth :—

That your Lordship's memorialist went out as a missionary to Otaheite in the year 1796, and was driven from thence in the beginning of the year 1798, and went directly to Port Jackson, where he was presented with a grant of one hundred acres of land by Governor Hunter, upon which he went immediately to reside, and cleared the greater part of it, and kept it in a state of cultivation ever since. That he was appointed chief constable of Parramatta in the year 1805 by Governor King, which office he filled until the 26th Jan'y, 1808, when Colonel Johnston put Governor Bligh in confinement at a time when the colony was in a state of peace, tranquillity, and prosperity; then he was deprived of his office on account of his fidelity to His Majesty's Governor, and offence given to Mr. McArthur for executing a warrant on him, and turned out of his barracks at a time when he was unprovided with any other house, by which himself and family were exposed to great inconveniences and expence, and afterwards deprived of his Government servants, and other advantages arising from the situation, and that he was continually persecuted until the arrival of Governor Macquarie, when he was ordered Home as an evidence for the Crown; that he was put to considerable expence fitting himself out for the voyage, besides the expence incurred by his family during his absence; that your Lordship's memorialist has received only 15s p. day for subsistence since the date of his arrival to the 2nd of August, when it appears to be stopped, though some others received a guinea p. day; that he

A mission-ary.

Appointed chief constable.

Circumstances of his dismissal.

1811 prays that your Lordship will order him some allowance for the time of his passage from and to Port Jackson, and that his pay may be continued until the time of his embarkation; that your Lordship's memorialist never had any stock from Government, and therefore begs that he may be recommended by your Lordship to Governor Macquarie for such an allowance of land and stock as your Lordship may deem meet, as he intends to continue a settler in the colony.

12 Aug.  
Oakes  
applies for  
an allow-  
ance.

And your Lordship's memorialist, as in duty bound, will ever pray.

FRANCIS OAKES.

#### MEMORIAL OF MARTIN MASON.

14 Aug.

14th August, 1811.

To the Right Honorable Lord Liverpool, His Majesty's Principal Secretary of State for the Colonial Department.

The memorial of Martin Mason,—

Respectfully sheweth :—

Surgeon  
on trans-  
port.

That your memorialist arrived in New South Wales, July 13th, 1798, surgeon of the *Britannia*, transport, with female convicts.

That your memorialist was employed as acting surgeon on board His Majesty's ship *Buffalo*, and made a voyage to the Cape of Good Hope and back to the colony in that station.

That on that ship being ordered Home in 1800, and memorialist supposing his family to be then on their passage to that colony, resigned that appointment, with the approbation of Governor Hunter and Captain Kent.

Acting  
Assistant  
Surgeon.

That on the 23rd of October, 1800, memorialist was appointed an Acting Assistant Surgeon in the colony and a magistrate. December 31st, 1803, was superseded by Mr. John Savage, who brought out the appointment from England, and memorialist was strongly recommended to Lord Hobart, then in office, by Governor King for the first appointment that might take place in the medical department.

Practising as  
a doctor.

That on the 26th July and 8th day of August, 1807, memorialist was solicited officially by letters by Thomas Jammison, Esquire, then Principal Surgeon, to act as an Acting Assistant Surgeon, but then declined accepting the appointment, being comfortably settled in private practice; at the same time promised in any one case of emergency to be ready to render his assistance to Government, and did frequently assist several of the military detachment and prisoners employed by Government at the Hawkesbury without requiring any remuneration.

Bligh's  
policy.

That your memorialist held no appointment under Governor Bligh, but approved of his administration in suppressing a number of abuses, particularly the monopoly, sale, and barter of spirits

which had been injurious to society, and severely felt by the sober and industrious cultivator, preventing of crimes by restoring discipline, encouraging and protecting the sober and industrious of every description. 1811  
14 Aug.

That on the 26th of January, 1808, when the insurrection, excited and headed by Major Johnston and John McArthur (the latter of whom had been a scourge to that colony), the colony was tranquil, peaceable, and prosperous, the settlers and cultivators were content and happy. A tranquil colony.

That your memorialist conceived it his duty to adhere firmly to Governor Bligh, the representative of the Sovereign, and refused to sign any of the papers containing an approval of the illegal transaction that had already taken place. An adherent of Bligh.

That your memorialist was solicited by a number of respectable settlers to accompany Mr. George Suttor to England to represent to His Majesty's Ministers the true state of the colony, and in their names to disavow their having any act or part in the insurrection further than what was extorted under the impression of fear and terror after the act was committed; but the then state of the colony was such as to preclude the possibility of carrying their honest and loyal intentions into effect. Representative settlers.

That your memorialist's firm opposition to what he conceived an act of treason and rebellion against the Sovereign in the person of his representative, and his extensive communication with the settlers in every part of the colony, pointed out your memorialist as an object of their resentment and persecution, which continued till the legal government was restored in the person of Governor Macquarie. Your memorialist's indentured servants were taken away, which deprived him of the means of carrying on his business. A marked man.

That your memorialist was twice imprisoned for his loyalty, the first time with several other respectable settlers, and during his imprisonment his son was drowned by a dangerous lunatic. Twice imprisoned.

That your memorialist's person was repeatedly assailed by the under agents of the usurpers, and at one time his right leg fractured. That during your memorialist's imprisonment, various underhand arts were used to ruin the private practice your memorialist enjoyed, and to reduce him in his circumstances.

That, in consequence, your memorialist's private concerns are ruined, himself a wife and five children from ease and comfort reduced to distress and poverty. A ruined man.

That your memorialist was brought Home as a witness for the Crown, was at considerable expence in fitting out for the voyage, as well as the expence of his family in that colony during his absence. A witness for Bligh.

That your memorialist has been subsisted with fifteen shillings per day from his arrival in England, and has not been allowed anything for his time during the passage from New South Wales.

1811

14 Aug.

A passage  
back to  
Sydney.

That your memorialist has received a letter from Mr. Lichfield, informing him that a passage is provided for your memorialist on board the *Mary*, and that his subsistence money will cease from this day.

That your memorialist most respectfully submits his peculiarly hard case to your Lordship's humane consideration, and prays that your Lordship will grant him to be continued in pay till the ship leaves England.

Asks for  
appointment  
and  
grant.

That your memorialist may be put on the establishment in the colony as an Assistant Surgeon, and to allow his family a grant of land, with such stock as in your Lordship's wisdom may seem meet.

And your memorialist will ever most respectfully pray.

MARTIN MASON.

SIR JOSEPH BANKS TO ———.\*

16 Aug.

A Sydney  
native.

Dear Sir,

Soho-square, 16th August, 1811.

Allow me to request that a passage may be provided in the vessels now fitting out for New South Wales to carry out a native of that country called Dan, who was brought Home several months ago by an injudicious person who had been for some years employed by me as a collector† in that country. I have maintained him since his arrival, and do not wish to subject Government to any charge on his account, but only his passage home.

I have, &c.,

JOS. BANKS.

EARL LIVERPOOL TO GOVERNOR MACQUARIE.

17 Aug.

Sir Henry  
Brown  
Hayes.

Sir,

Downing-street, 17th August, 1811.

I herewith transmit to you the copy of a letter I have received from Admiral Bligh,† late Governor of New South Wales, inclosing the copy of a pardon which it was his intention to have granted to Sir Henry Brown Hayes had it been in his power to have affixed the Great Seal of the colony to the instrument.

I have apprized you of this circumstance in order that you may be enabled now to extend the indulgence then intended to have been granted to this individual by Admiral Bligh, in case his conduct, since the period of Admiral Bligh's suspension from the Government, should have been such as to entitle you, with a due regard to the ends of justice, to remit the punishment to which he had been condemned.

LIVERPOOL.

MEMORIAL OF EDMUND GRIFFIN.

20 Aug.

Southampton-street, Camberwell, 20th August, 1811.

The memorial of Edmund Griffin, late Secretary to Governor Bligh,—

Most respectfully sheweth:—

Griffin's  
services.

That your Lordship's memorialist accompanied Governor Bligh to New South Wales in the year 1806, where, in such

\* No address; probably sent to Under-Secretary Peel.

† Probably Calcy.

‡ Bligh's letter is not available. Compare Hayes's petition and Bligh's endorsement, ante, pp. 316 and 320.

capacity, he acted and continued to act up to the period of Governor Bligh's supercession by Governor Macquarie, on the 1st of January, 1810, and from that date to the arrival of Governor Bligh in England, the 24th October, 1810, your Lordship's memorialist having returned with Governor Bligh. 1811  
20 Aug.

That the salary attached to the situation your Lordship's memorialist held, as aforesaid, was no more than £91 5s. 0d. per annum until the year 1809, when it was increased to £182 10s. 0d., and that it was not increased previously, as most of the salaries of the rest of the civil officers of the colony had been, in consequence, as your Lordship's memorialist understood, of the local emoluments supposed to be attached to the said office of Secretary to the Governor, which your Lordship's memorialist acknowledges there certainly are; but from the 13th August, 1806, the day Governor Bligh took upon him the Government, to the 26th of January, 1808, the day of the mutiny against him and arrest of his person, your Lordship's memorialist experienced very trifling benefit from such local emoluments, but which, he is satisfied and sensible, would have been made up to him in the succeeding years of Governor Bligh's administration had it not been for the mutiny which took place on the 26th of January, 1808, and the usurpation of the Government by several officers from that period to the 1st of January, 1810, which deprived your Lordship's memorialist of the benefit of such local emoluments; and the same were enjoyed by the persons who successively acted as secretaries to the officers who illegally kept Governor Bligh in confinement, and assumed to themselves the authority of governing. Salary of  
Secretary.  
  
Emoluments  
of office  
  
enjoyed by  
usurpers.

That your Lordship's memorialist has suffered a material loss by having been so precluded from the receipt of the fees belonging to the situation he held as aforesaid; yet he does not mean to state they would have amounted to a sum equal or near to that received by the persons who acted as secretaries under the illegal Government, as your Lordship's memorialist considers and believes that, from the 26th January, 1808, to the 1st January, 1810, the fees received by the persons who successively acted as secretaries within that space of time exceeded one thousand pounds, principally derived from the immense number of grants of land that were made to various individuals by the officers who illegally held the Government as aforementioned; and your Lordship's memorialist considers that the fees of the Secretary of the Governor under the legal Government would have been only from one hundred and fifty pounds to two hundred pounds per annum. Secretary's  
fees.

That your Lordship's memorialist has not as yet received his salary as Secretary to Governor Bligh from the 1st of January, 1810, to the 24th October, 1810.

That your Lordship's memorialist has been detained since his arrival in England as an evidence for any investigations it might Detained as  
a witness.

1811

20 Aug.

Not return-  
ing to  
colony.Asks for  
assistance.

be thought proper by His Majesty's Government to institute relative to the late mutiny in New South Wales ; for which your Lordship's memorialist acknowledges he has received a reasonable allowance for subsistence, by your Lordship's orders, up to the 14th of this month ; but your Lordship's memorialist most respectfully begs leave to state to your Lordships, that until the 12th of this month he was not aware he would be no farther required, when he received a letter from your Lordships' solicitor acquainting your Lordships' memorialist that a passage was provided for him to return to New South Wales in the ship *Mary*, at Deptford, to sail from thence shortly ; that he might immediately embark, and that his allowance for subsistence would cease on the 14th instant. Your Lordships' memorialist most respectfully begs leave to state to your Lordships that he had no intention or inducement whatever to return to New South Wales, nor has he at this moment, but that shortly after his arrival in England he could have engaged in a situation which he considers would have proved advantageous to him, had he not been required to wait as an evidence as before-mentioned.

That your Lordships' memorialist has thus spent nearly six years of his life in the service of the Government ; that he is now without any means of obtaining subsistence ; and that at present he has no prospect of obtaining a situation whereby he can do so.

Your Lordship's memorialist most humbly and respectfully solicits that your Lordships will be pleased to take his case into consideration, and grant him such relief and remuneration as your Lordships may think fit.

And your Lordship's memorialist, as in duty bound, will ever  
I am, &c.,

EDMUND GRIFFIN.

#### NICHOLAS DIVINE'S MEMORIAL.

22 Aug.

5, Cheyney-walk, Lambeth, 22nd August, 1811.

THE humble memorial of Nicholas Divine, late superintendant of convicts of His Majesty's settlement of New South Wales,—  
Humbly sheweth :—

Divine's  
services.

That your memorialist was appointed superintendant of convicts of His Majesty's colony of New South Wales in the year 1789, from which time to Aug't, 1808, making a period of nearly 20 years, memorialist performed this duty, and during the above term his conduct has been such as to merit the general approbation of every Governor and officer in command in the said colony, as the certificates hereunto annexed will testify.

Dismissed  
by Foveaux.

That Lieut't-Col. Foveaux, on assuming the Government of the colony, ordered memorialist in future not to interfere with the public works, assigning no reason for so doing, and placed another person in memorialist's situation.

That, by the proclamation of Governor Macquarie on his arrival in the said colony, memorialist was reinstated in his situation, and after which was ordered to England as evidence for the Crown respecting the late mutiny in the said colony. 1811 22 Aug.

That memorialist, in consequence of his great age, being 72 years, and the heavy fatigue of duty gone through for the above period of 20 years, renders him incapable of taking upon himself the execution of his former duty. Reinstated by Macquarie. Incapacitated by age.

Your memorialist, therefore, most humbly prays that your Lordship will be pleased to take his case into your Lordship's gracious consideration, and that your Lordship may be pleased to allow memorialist to retire on his salary of £75 per annum, or such other allowance as your Lordship shall seem meet.\*

And memorialist will ever pray, &c.,

N's DIVINE.

MEMORIAL OF JOHN WEBB.

London, 23rd August, 1811.

23 Aug.

The humble memorial of Jno. Webb,—

Humbly sheweth :—

That your memorialist came Home in His Majesty's ship Hindostan, from New South Wales, as an evidence for the Crown ver. Col'l Johnston,† and that he followed the profession of cabinet-maker and upholsterer in that colony for five years, and that he had the sole management of all matters relative to the branch for the 3 Gov't Houses.‡ A witness for Bligh.

Your memo'l finds with regret that he is not one of the number for whom passages are procured in the Mary, store ship, which induces him, with the greatest res't, to humbly solicit that your Lordship would in your accustomed goodness be graciously pleased to grant him the like privilege, which would ever confer a lasting obligation on y'r Lordship's humble memorialist. Wishes to return to Sydney.

MEMORIAL OF NICHOLAS DIVINE.

5, Cheyney-walk, Lambeth, 24th August, 1811.

24 Aug.

The memorial of Nicholas Divine, late Superintend't in New South Wales,—

Humbly sheweth :—

That having the honer of receiveing your Lordship's arnser to my memorial dated 22nd August, 1811, I most respectfully beg leave to assure your Lordship that I am willing to continue in the duteys of the office of superintendant of convicts, which I Divine willing to continue as superintendent.

\* Divine's request was refused. Without giving any reasons, Under-Secretary Peel curtly replied that the Earl of Liverpool was unable to comply. In answer to his second memorial Peel informed Divine that if he returned to Sydney there could be little doubt that Macquarie would reinstate him.

† Webb was not called upon to give evidence.

‡ This might be taken to mean that there were two temporary Government Houses prior to the completion of the building at the eastern end of Bridge-street, of which the foundation-stone was laid by Phillip on 15th May, 1788. It is more probable, however, that Webb refers to the additions which were made from time to time to Phillip's house.

- 1811 have fulfilled, as certificates produced certify, but fearful that the person appointed to that situation on my coming to England may be continued.
- 24 Aug.
- Twenty-nine years of service. I beg leave to state that I have been in the service of Government seven years superintendant in the hulks at Woolwich and 22 years in New South Wales, in all 29 years of constant servitude, up to the Government of Colonel Fervoux in the rebellion, when I was dismissed.
- Appointed principal superintendant. That I was first appointed in 1789 as principal superintendant, and embarked in His Majesty's ship *Guardian*, where I suffered great distresses on that memorable occasion, and got maimed in my left hand by losing the use of two fingers by working at the pumps.
- Applies for reinstatement. I therefore pray your Lordship will take my case into your consideration, and order me to be reinstated in my office as principal superintendant on my arrival in Port Jackson, or to be superannuated there, that I may have some support during the remainder of my old age, being now 72 years old.\*
- And your petitioner will ever pray.

NICHOLAS DIVINE

#### GOVERNMENT PUBLIC NOTICE.

Secretary's Office, Sydney, 24th August, 1811.

- A pound erected. THE difficulty of securing cattle found straying or improperly feeding on the grounds of persons to whom they do not belong in the town or neighbourhood of Sydney, has induced His Excellency the Governor to give directions for the erection of a regular pound in the town of Sydney; and the public are hereby required to take notice that a pound will be erected in a suitable part of the public Market-place; and that on and after the first day of the ensuing month of September it will be ready, under the care of Mr. Matthew John Gibbons,† to receive all stray or trespassing cattle, either within the town, at Bennelong's Point, Farm Cove, Cockle Bay, or any of the parts adjacent to the said town of Sydney. Proper Orders and Regulations for the conduct of the said pound will be officially communicated to Mr. Gibbons, which said Orders and Regulations will be printed and placed on a board in a conspicuous part of the said pound.
- The pound-keeper.
- Straying cattle. The public are therefore to take notice that all horses, mares, foals, mules, asses, bulls, cows, calves, sheep, goats, or pigs found at large in the streets of Sydney, without a keeper or herdsman, or trespassing on any of the grounds in the vicinity of the town by day or night, are to be immediately taken up by the constables or other peace officers, or by the persons or their servants on whose

\* See Divine's memorial of 22nd August, 1811, ante, p. 580.

† Mr. M. J. Gibbons was Clerk of the Markets.

grounds they may be found trespassing, and conveyed to the said pound, and there delivered to the charge of the pound-keeper.

Cattle of whatever description which may be impounded, if not claimed and taken away immediately by their owners, will be regularly advertised in the *Sydney Gazette*, and if not claimed and removed within eight days after being a second time advertised, will be sold by public auction, and the residue of their sale price, after deducting the pound and other incidental expences, will be appropriated to the general purposes of the Police Fund.

The public are also to take notice that on and after the first day of September next, any persons who shall detain cattle in their own possession which do not belong to them beyond twenty-four hours will be prosecuted for the illegal retaining of them, which they can have no plea to justify, the public pound now notified being the only legal place for detaining cattle for trespass.

1811

24 Aug.

Cattle to be sold if not claimed.

Illegal detention of cattle.

UNDER-SECRETARY HARRISON TO UNDER-SECRETARY PEEL.

Sir,

Treasury Chambers, 28th August, 1811.

28 Aug.

I have it in command from the Lords Commissioners of His Majesty's Treasury to acquaint you that the Secretary at War has transmitted to this Board your letter, enclosing an application from the officers of the 1st Batt'n of the 73rd Reg't in New South Wales for a Colonial allowance in addition to their ordinary pay and allowances in consideration of the very high price of every article of life in that colony\*; and that before any judgement can be formed as to the amount of any Colonial allowance which it might be thought proper to grant, it seems material to know whether the average market prices, as specified for the period of three months and a half only, can be relied on as denoting the settled and permanent average prices of those articles. My Lords apprehend that the officers of New South Wales at present receive their rations, including their families, where they have any, without any deduction for the same from their pay. It will be material also to know whether they receive any, and what, other supplies from the public stores. It is stated in the application that the officers of His Majesty's Regiment at Ceylon have an allowance of half batta. It would be desirable to know what is the amount or value of this allowance; and I am to desire you will move the Earl of Liverpool to cause my Lords to be furnished with the above information, if any documents or correspondence in his office will enable him so to do, when their Lordships will communicate to him their opinion as to the amount of the Colonial allowance which it might be proper to grant, and the manner in which it should be defrayed.

Officers' pay and allowances.

Rations and supplies.

I am, &c.,

GEO. HARRISON.

\* See the application referred to, dated 20th April, 1810, ante, p. 334. It was submitted, in the first instance, in the shape of a memorial to Governor Macquarie.

1811

[Enclosure.]

28 Aug.  
—  
Allowances  
in Ceylon.

MONTHLY Allowance granted to officers of H. Majesty's Army  
serving on the Island of Ceylon.

Office.	For any month, in Ceylon currency.	Reduced into Sterling.	
		At the Gov't rate, or par of exchange of 2s. 12-ds. per rix dollar.	At 1s. 9d. per rix dollar.
	rix dollars.	£ s. d.	£ s. d.
Lieut't-Colonel .. .. .	527	56 4 3½	48 2 3
Do additional when command- ing a regiment.	85	9 1 4	7 8 9
Major .. .. .	393	41 18 4½	34 7 9
Captain and Paymaster .. .. .	226	24 2 1½	19 15 6
Lieutenant and Q'r-Master .. .. .	135	14 8 0	11 16 3
Ensign .. .. .	103	10 19 8½	9 0 3
Adjutant .. .. .	167	17 16 3½	14 2 3
Surgeon .. .. .	217	23 2 11½	18 19 9

For broken period, the month calculated at thirty days.

#### LIEUTENANT-GOVERNOR DAVEY'S COMMISSION.

1 Sept.

In the name and on the behalf of His Majesty, George, P.R.  
George the Third, by the Grace of God of the United Kingdom  
of Great Britain and Ireland, King, Defender of the Faith,  
to our trusty and well-beloved Thomas Davey, Esquire,—  
Greeting:—

Davey  
appointed  
Lieutenant-  
Governor of  
Van Die-  
men's Land.

We, reposing especial trust and confidence in your loyalty,  
courage, and experience, do by these presents constitute and  
appoint you to be Lieutenant-Governor of our settlements in Van  
Dieman's Land, on the southern coast of New South Wales. You  
are therefore, as Lieutenant-Governor, to take the said settlements  
into your care and charge, and carefully and diligently to dis-  
charge the duty of Lieutenant-Governor thereof, by doing and  
performing all manner of things thereunto belonging. And we  
do hereby strictly charge and require all our officers and soldiers  
who shall be in our said settlements, and all others whom it may  
concern, to obey you as our Lieutenant-Governor thereof. And  
you are to observe and follow such orders and instructions from  
time to time as you shall receive from us, our Governor of our  
territory of New South Wales and the islands adjacent for the  
time-being, or any other your superior officer according to the  
rules and discipline of war, in pursuance of the trust hereby  
reposed in you.

Given at our Court at Carlton House, the first day of Septem-  
ber, 1811, in the fifty-first year our reign.

By the command of His Royal Highness the Prince Regent, in  
the name and on the behalf of His Majesty.

LIVERPOOL.

LIEUTENANT-GOVERNOR DAVEY TO EARL LIVERPOOL.

1811

My Lord, Cambridge, 7th September, 1811.

7 Sept.

I feel it a duty incumbent on me to acquaint your Lordship that I have this day been apprized by the Earl of Harrowby of your Lordship's benevolent intention to honour me with the appointment of Lieutenant-Governor of the settlement of Van Diemen's Land. I humbly beg leave, my Lord, to express my respectful acknowledgment and most sincere gratitude for the very signal and dignifying mark of your Lordship's attention, assuring your Lordship how truly sensible I feel of the high patronage, and that I will devote my whole time and application to the ends of the great trust reposed in me with that zeal and eagerness as will, I trust, merit your Lordship's donation, and do credit to Lord Harrowby's recommendation.

Davey  
thanks Lord  
Liverpool.

My Lord, I am in duty bound to obey the dictates of your Lordship, with every degree of respect and submission, and have the honour to subscribe myself your Lordship's, &c., &c.

THOMAS DAVEY,

Major, R. Marines.

GOVERNMENT AND GENERAL NOTICE.

Secretary's Office, Sydney, 7th September, 1811.

It being deemed expedient that the island situated in the harbour of Port Jackson, and near to Farm Cove, called Garden Island, should be comprised in and considered in future as forming a part of the Government Domain, notice is hereby given that all the growth and produce of said island, whether timber or grass, is to be appropriated in future to the exclusive use of His Excellency's establishment; and all persons are cautioned not to cut grass or timber there, as any persons detected in so doing after this public notice will be prosecuted and severely punished. Persons detected or convicted of having set fire to any wood or grass in Garden Island will be most severely punished for such wanton mischief.

Garden  
Island.

GOVERNMENT PUBLIC NOTICE AND ORDER.

Head-quarters, Sydney, 7th September, 1811.

HIS Excellency the Governor having good reason to believe that a very great and unnecessary waste and shameful pillage takes place in the working up and consumption of Government timber, iron, steel, coals, lime, and other articles, and that considerable quantities of them are applied to the purposes of unprincipled private individuals, by the superintendants and overseers whose duty it is to protect and guard the same; and also that large quantities of the various materials meant for Government use are stolen by persons in the immediate service of Government, hereby gives this General Public Notice, that any person who shall in future be detected either in wasting or pillaging any of the aforesaid articles

Misappropriation of  
Government  
property.

1811	will be punished with the utmost rigour of the law; and should any of those officers of the Government, whose immediate duty it is to guard such articles, be discovered in pillaging or robbing, or conniving at others committing such plunder, they will be immediately deprived of those situations which the proof of such facts will shew them so unworthy of; and be their situations and rank what they may, they will be prosecuted as any other felons, and exposed to the same punishments, without the hope of mitigation.
7 Sept	
Officers and others warned.	
Unauthorised removal of material.	And in order to guard against the recurrence of such plunder, it is His Excellency's desire that in future no superintendent or overseer shall on any account presume to give away to others, or to take to his own use or benefit, any timber, plank, board, iron, steel, nails, coals, files, lime, shingles, brick, or other article, wrought or unwrought, whether new or old, except on a written order proceeding from His Excellency the Governor (or in his absence from the Lieutenant-Governor), which order must also be countersigned by the Acting Engineer; and the clerk of the lumber-yard is hereby directed to enter the same in a book, specifying the various articles and quantity mentioned therein.
The custody and use of sawn timber.	It is further directed that all timber of wood, whether in logs or sawed, that may arrive from Lane Cove, Newcastle, or elsewhere, for the use of Government, shall be taken in charge by the superintendent carpenter, and by him lodged in a place of security in the lumber yard, and for the fair and regular expenditure of it he will be held responsible; and no timber, whether in log, sawed, or wrought, is to be carried or removed out of the lumber yard, except in the presence of the superintendent carpenter and by his direction. The clerk and watchman of the lumber yard are hereby called on to see this order carried into effect. And as much confusion of property must be introduced by the different tradesmen undertaking and executing jobs and work for private persons in the Government workshops, and a door thereby thrown open for fraud and imposition, the different superintendants and tradesmen are hereby enjoined not to undertake such, unless they receive orders to that effect from His Excellency the Governor (or in his absence from the Lieutenant Governor), which order must be in writing, and countersigned by the Acting Engineer.
Private work by public servants.	When repairs are required for the barracks, or other Government buildings, applications are to be made in the first instance to the Barrack-master, who is to report thereon to His Exc'y, who will give such orders to the Acting Engineer as the case may require; but no new building or work is at any time to be proceeded in without the sanction of His Excellency the Governor be previously obtained.
Repairs to Government buildings.	The dock-yard being under similar circumstances with the lumber-yard as to the receipt and expenditure of Government materials, it is to be understood that these orders are meant to apply equally to it as to the other; and all materials sent there are to be taken charge
Regulations for the dock-yard.	

of by the master boat-builder, or the boatswain of the yard, who will be held responsible for all such materials or stores committed respectively to their charge ; and in like manner no article, wrought or unwrought, is to be permitted to be removed from the dock-yard, unless in presence, and by the direction of, the master boat-builder or the boatswain of the yard, who are required to make regular book entries of all materials, both received into and delivered out of, the dock-yard. And it is hereby strictly commanded that no person shall presume to saw any timber for private persons, either in the saw-pits at Lane Cove, or in the lumber or dockyard at Sydney, as all timber found therein will be forfeited to the Crown, and the persons employed in sawing it will be severely punished.

By command of His Excellency the Governor.

J. T. CAMPBELL, Secretary.

EX-SURVEYOR-GENERAL GRIMES TO EARL LIVERPOOL.

No. 8, Queen's Square, Westminster,

My Lord,

12th September, 1811.

12 Sept.

Having been informed that my resignation\* of the situation of Surveyor of Lands in New South Wales has been accepted, I have to deplore having given such serious offence to your Lordship as to have obliged me to send it in, and that one fatal error should have destroyed my hopes of reward for upwards of twenty years' services in so distant a colony, with my health completely destroyed by lying on the wet ground. It appears by the Court-Martial on Lieutenant-Colonel Johnston that I unfortunately, though not intentionally, have done wrong.† Others who acted similar have not met with punishment, but promotion, makes me feel my situation doubly hard ; but I still hope your Lordship will look more favourably on my conduct, and continue the remuneration granted me six years back, as specified in the enclosed letter.‡

Grimes's  
resignation.

Asks for  
pension.

Relying on your Lordship's goodness and justice, I shall bow with the most perfect respect to any decision that you may make on my case, and I have only to add my hopes that your Lordship will not think me too presuming if I humbly solicit to be made acquainted with your Lordship's determination hereon.

I have, &c.,

CHARLES GRIMES.

#### GOVERNMENT PUBLIC NOTICE.

Secretary's Office, Sydney, 14th September, 1811.

14 Sept.

It having come to the knowledge of His Excellency the Governor that the tradesmen and mechanics in the service of Government have been long in the habit of using the various tools which are

Using Go-  
vernment  
tools for  
private  
purposes.

\* See Grimes's resignation, dated 18th July, 1811 (ante, p. 557), sixteen days after the publication of the sentence on Johnston.

† The decision of the Court-Martial did not affect any other than Johnston.

‡ The enclosure is not available. No doubt reference is made to Grimes's appointment in 1806, as Surveyor of Lands at 10s. per diem.

1811

14 Sept.

supplied to them for the purposes of Government only, by working with them after the Government hours of work are over for private individuals, whereby the said tools are much injured and frequently destroyed : His Excellency being determined to prevent so unwarrantable and highly improper a practice, hereby orders and directs that no person, whether mechanic or other, shall presume to make any use whatever of said tools for any other purpose than the service of Government. And in order to carry this command into the fullest effect, it is His Excellency's desire that the several mechanics and tradesmen in the employ of Government shall, at the daily close of their work, deposit their several tools in the Government yard where they work, in presence of their respective overseers, and in charge of the watchman of the yard, who will be held accountable for their safety ; and on their return in the mornings they are to be delivered to them by the watchman, when directed by the respective overseers.

Government  
men oxen.

His Excellency having been further informed that some of the overseers and drivers of the working oxen have dared to employ the said cattle after their necessary labour has been performed, and when they require food and rest, by drawing or otherwise working them for their own advantage in the service of private persons, strictly commands that they shall desist from such cruel and unjustifiable practice in future ; and hereby gives notice that any person who shall be hereafter found so to employ the working cattle, will be dismissed from the service of Government and otherwise severely punished, according to the degree of the offence.

#### GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 21st September, 1811.

21 Sept.

Cattle  
trespassing.

FREQUENT and serious complaints having been made to His Excellency the Governor from settlers in the several districts throughout the colony, that their cultivated lands and crops are very materially injured by the trespassing of cattle belonging to other persons, much of which may be attributed to the neglect of the stockmen and herds whose duty it is to keep their cattle within the limits of their owner's farms ; and His Excellency being determined, as far as in his power, either fully to restrain such wanton injury, or to make the owners of such cattle answerable for every damage so done, hereby orders and directs the magistrates in the several districts and townships throughout the colony to cause pounds to be immediately erected in the most convenient situations within those districts and townships for the purpose of receiving all stray or trespassing cattle which may be brought to them ; and that they shall appoint steady and correct persons to take charge of said pounds, who are hereby instructed to be guided by the Rules and Orders issued on the 24th of August last, for the management of the pound lately established at Sydney. But whilst His Excellency

District  
pounds.

is thus solicitous for the protection of the crops and property of that highly useful class of the settlers who cultivate their lands, yet he must remind them that until they erect proper fences and inclosures any damages which they may sustain from cattle trespassing on them can be but in a very inadequate degree compensated for, and he therefore takes this opportunity of recommending to them generally to set about the inclosing of their farms with suitable fences; and in particular he calls the attention of those settlers whose lands are contiguous to commons to the business of fencing off their lands on those parts at least where they join or come close to the commons. Persons holding large tracts of land merely as pasturage must be aware that every necessity subsisting for the small landholders, who are the principal cultivators, to enclose their lands, must equally apply to themselves, as they can have no claim or pretension to any exemption from so doing which the others cannot plead with still more justice with the opulent, the business of enclosures should commence, and from them good example is expected.

1811

21 Sept.

Fences should be erected.

Pastoralists' holdings.

For the district of Concord, and the small adjacent districts, a pound is to be erected at what is called the Half-way House, between Sydney and Parramatta, the care and charge of which is entrusted to Edward Powell, who is appointed poundkeeper at it, under the same regulations as are prescribed for all the other pounds in the colony.

The Concord pound.

A pound having been for some time past established at Parramatta, under certain rules and regulations, with a table of rates or charges assigned to it, His Exc'y hereby gives notice and directs that those charges (deemed by competent judges sufficiently moderate) shall be adopted by the poundkeeper at Sydney, and by all the other poundkeepers throughout the colony, a list of which rates or charges is herewith published for the information of the public, and a copy of them, with the rules and regulations for the management of said pounds, is to be hung up in a conspicuous situation in each of them.

The Parramatta pound.

**LIST of Charges to be made at each and every of the pounds within the territory of New South Wales.**

	£	s.	d.	Pound-keepers' charges.
Horses of every description, per head per day, for 7 successive days	0	1	6	
Ditto, after 7 successive days, per head per day	0	2	6	
Horned cattle of every description, per head per day, for 7 successive days	0	1	0	
Ditto, after 7 successive days, per head per day	0	2	0	
Sheep, goats, and swine of any kind, per head per day, for 7 successive days	0	0	6	
Ditto, after 7 successive days, per head per day	0	0	9	

DR. TOWNSON TO EARL LIVERPOOL

My Lord, Sydney, N.S.W., 22nd September, 1811.

22 Sept.

Knowing that it was the wish of His Majestie's Ministers during several administrations that a few respectable characters

Respectable settlers.

- 1811 would settle in New South Wales, and that Ministers were therefore willing to give them adequate encouragement, I offer'd myself to Mr. Secret'y Windham as a colonist, and obtained without any difficulty a promise, with a letter of assurance, of receiving two thousand acres of land, &c., on my arrival in this colony.
- 22 Sept. Notwithstanding Mr. Secretary Windham and Sir George Shee seemed pleased that I was going out, and in consequence of my having devoted a great part of my life to scientific pursuits, allowed me a hundred pounds to purchase books and a laboratory for the use of the colony, yet on my arrival in New South Wales I received a very unfriendly reception from Governor Bligh. Though I showed him the letter I had received from Sir G. Shee, of which there is a copy in your Lordship's office, he refused to give a grant of my land, alleging he had received no instructions of the kind from His Majesty's Ministers. Upon the arrest of Governor Bligh, Colonel Johnston offered me my land; but when I had fixed upon a thousand acres near Emu Island he refused it.
- A favoured emigrant. . . . At last, under Col. Foveaux and Patterson, I obtained my grants; but in a few months Governor McQuarie arrived, and annulled all the grants made since the arrest of Governor Bligh.
- Reception by Bligh. I lost no time; I explained to him the nature of my claims—that it was not by the favour of those who had usurped the Government of the colony that I had got my land, but that I had a just and even *legal* claim through the promises of His Maj.'s Ministers, and the sacrifices I had made to obtain it. At last, after several applications and waiting near a year and a half, he ordered the grants to be made out, but not according to the usage and custom of the colony, but with such clauses (unknown to all former Governors) as will render my land liable to confiscation.
- Johnston's attitude. Having now lost so many years in endeavouring to settle in the colony, still finding the Gov't here unfriendly to me, and beginning to get in years, I requested to be allowed to sell my land and return to England. This request was refused. I therefore now appeal to your Lordship, and beg that in your first dispatches your Lordship will give orders that I may be allowed to dispose of my land and return to England. I have already lost above five years of my life. This request is so reasonable and so agreeable to the laws and customs of the colony that under no former Governor should I have been compelled to trouble your Lordship on this subject, for at the expiration of five years I should have been entitled to alienate my land without asking permission, and no Governor would have refused it, as a favour, if good reasons could be assigned before this time was expired.
- Macquarie's action. Can he sell his land? Will Liverpool interfere?

order of the present Governor, I shall be satisfied. I shall then return to England or continue here, as I may think will most contribute to my own happiness. 1811  
22 Sept.

I have, &c.,

ROBERT TOWNSON, LL.D.

CONTRACT FOR REBUILDING BRIDGE FACING SYDNEY COVE.  
(Colonial Secretary's Papers.)

Cumberland, New South Wales, 24th September, 1811. 24 Sept.

Know all men by these presents, that we, John O'Hearne and William Broughton, of this territory, are held and firmly bound to William Broughton, Esquire, Acting Commissary of the colony, on the part and behalf of Government, in the penal sum of six hundred and sixty pounds, good and lawful money of Great Britain, to be paid to the said William Broughton or his successor, to which payment, well and truly to be made, we bind ourselves, and each of us, and our and each of our heirs, executors, administrators, and assigns, firmly by these presents, sealed with our seals, and dated this 24th day of September, one thousand eight hundred and ten. Now the condition of this obligation is that the said John O'Hearne shall entirely take down and rebuild the bridge situate facing the cove in the town of Sydney (excepting that part of the bridge on the north side, built by Government), to widen the same five feet, and to rebuild the arch to six feet six inches semi-diameter, the whole of which is to be finished in a solid, permanent, and workmanlike manner, after its present construction in point of finishing, and the completion of the same is to be made with every possible despatch. The framing of the woodwork on which to form the arch is to be finished by Government, free of any expence to the said John O'Hearne, and all and every other material necessary to perform the mason's work is to be furnished by the said John O'Hearne, for which he, the said John O'Hearne, is to be paid and fully satisfied on his receiving 660 gallons spirits, to be advanced him according to the progress of the work, which is to be regulated by any person appointed by His Excellency for that purpose; all of which alterations and repairs being duly performed on the part of him, the said John O'Hearne, then this obligation to be void and of no effect, otherwise to continue in full force and virtue in law. Parties to contract.  
The old Sydney bridge.  
To be paid for with spirits.

JOHN O'HEARN (sic.)

WILLIAM BROUGHTON.

*Contract, endorsed in Macquarie's handwriting:—*"Memorandum.—9th August, 1811.—I gave Mr. O'Hearne an order on the Com'y for 410 gallons of spirits to be received from the King's stores, which, in addition to 250 gallons formerly received on account, pays him in full the amount of his contract for altering and repairing the new arch bridge in the town of Sydney. But there being yet part of the prescribed work unfinished on the bridge, I have directed forty gallons of the above 410 to be Advances to contractor.

**1811** retained in the store till such time as the whole is completed,  
 24 Sept. and Mr. O'Hearne obtains a certificate from me to that effect.—  
 L.M.”

Completion of contract. “N.B.—The above balance of 40 gallons have been paid to Jno.  
 O'Hearne, in my absence lately to the southward, by order of the  
 L't. Governor ; on this day he rec'd 15 gallons more for completing  
 the whole of the above job.—L.M.”

21st March, 1812.

#### VITAL STATISTICS.

30 Sept.	The number of marriages solemnized at Sydney, New South Wales, from 1st January to 30th September, 1811	45
Return of marriages, baptisms, and burials.	The number of baptisms solemnized at Sydney in the quarter ending 31st March, 1811	40
	Do. in the quarter ending 30th June, 1811	35
	Do. in the quarter ending 30th September, 1811	40
	The number of funerals at Sydney in the quarter ending 31st March, 1811	51
	Do. in the quarter ending 30th June, 1811	40
	Do. in the quarter ending 30th September, 1811	26
	The number of marriages solemnized at St. John's Church, Parramatta, in New South Wales, from 1st January to 30th September, 1811	41
	The number of baptisms at St. John's, Parramatta, from 1st January to 31st March, 1811	18
	Do. from 25th March to 25th June, 1811	20
	Do. from 25th June to 30th September, 1811	22
	At St. George's River on 19th May, 1811	2
	The number of burials at St. John's, Parramatta, from 1st January to 31st March, 1811	11
	Do. from 25th March to 25th June, 1811	12
	Do. from 25th June to 30th September, 1811	7
	Do. at George's River from 25th March to 25th June, 1811	2
	The number of marriages solemnized at the parish church at Windsor, in New South Wales, from the 1st Jan'y to the 30th Sept'r, 1811	41
	Do. from 31st March to 30th June, 1811	13
	Do. from 30th June to 30th Sept'r, 1811	12
	The number of christenings at the parish church at Windsor, from 31st December, 1810, to 31st March, 1811	13
	Do. from 31st March to 30th June, 1811	16
	Do. from 30th June to 30th September, 1811	17
	The number of burials at the parish church at Windsor, from 31st December, 1810, to 31st March, 1811	10
	Do. from 31st March to 30th June, 1811	6
	Do. from 30th June to 30th Sept'r, 1811	4
Criminal Court trials.	Number of prisoners tried before a Court of Criminal Jurisdiction, held at Sydney, in and for the territory of New South Wales, on Monday, 28th May, 1810, and following days	16
	Do. do. 22nd October, 1810, & do.	12
	Do. do. 11th February, 1811, & do.	9
	Do. do. 6th May, 1811, & do.	10
	Do. do. 27th May, 1811	1
	Do. do. 19th August, 1811	6
	Do. Friday, 13th December, 1811	3
	Do. do. October 11th, 1811	1
Pardons granted.	Number of free pardons granted by His Excellency Governor Macquarie, from the 1st of January, 1810	111
	Number of conditional pardons granted by His Excellency Governor Macquarie, from the 1st of January, 1810	70

# SHIPPING RETURNS.

593

## SHIPPING RETURNS.

Report of Ships and Vessels entered Inwards and cleared Outwards at Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of July to the 30th day of September, 1811.

Date of entry.	Name of the Vessel.	Master.	Build.	No. of Tons.	Where built.	Registered.	Names of the Owners.	From whence.	General Cargo.	Duty and Fees of Entry.
8 July	Providence	And'w Barclay	Plantation	649 10 00	Calcutta..	INWARDS.	Hugh Reid .....	London .....	General merchandise	£ 4. d.
17 "	Indispensable.	Henry Best....	Foreign ..	350 10 27	Prize ....	"	Daniel Bennett .....	Fishery .....	175 tons of sperm oil for the London market	183 1 10 4
28 "	New Zealand	William Elder..	"	258 8 23	"	"	"	"	175 "	3 5 6
3 Aug.	Oto .....	James Lindsay	"	188 1 17	"	"	Alexander Hirmie .....	London .....	General merchandise	360 17 6
21 "	Fredrick ..	E. Bunker ....	"	240 16 30	"	"	Will. Wilson & Co. ....	Fishery .....	55 tons of sperm oil for the London market.	41 15 6
26 "	Favourite, b'g	A. Flak .....	American	168 4 23	America ..	Calcutta	G. Blaxell & Co. ....	China .....	General merchandise	233 5 0
"	Sally .....	R. M. Field....	"	329 10 36	"	Boston ..	Peter Amidon & Co. ....	Boston and Isle de Franco.	"	392 2 0
14 Sept.	Daphne....	Joe. James ....	Plantation	127 1 23	Calcutta..	Calcutta	Geo. Thomas .....	Cape of Good Hope	"	1,292 12 10 3
Wines and Spirits received in the colony of New South Wales from the 1st day of July to the 30th day of September, 1811, viz. — Providence—Rum, 2 casks, equal to 197 gallons; brandy, 1 cask, equal to 100 gallons; gin, 5 casks, equal to 700 gallons; wine, 6 casks, 42 cases, equal to 216 gallons. Cato—Rum, 27 casks, equal to 2,800 gallons; brandy, 4 casks, equal to 423 gallons; wine, 6 casks, 37 cases, 225 dozen, equal to 538 gallons. Fredrick—Rum, 3 casks, equal to 250 gallons. Sally—Rum, 30 casks, equal to 1,500 gallons; gin, 6 casks, equal to 715 gallons; wine, 4 casks, equal to 293 gallons. Daphne—Brandy, 24 casks; wine, 241 casks.										
When cleared.										
9 July	Cumberland..	Will. Swain ....	British ..	208 10 23	Rotherhithe	OUTWARDS.	Messrs. Enderby's ..	Where bound.	Ballast .....	Clearance Fees.
9 "	Milwood....	E. Smith .....	American	253 8 23	London..	London.	B. M'enturn .....	Fishery .....	"	0 5 0
9 "	Aurore .....	O. F. Smith ..	"	180 6 18	New York	New York	T. Welden and others..	Fishes and China	"	0 5 0
10 "	Indispensable.	Henry Best ..	Foreign ..	351 12 28	Virginia ..	Virginia ..	Dan'l Bennett .....	Calcutta .....	175 tons of sperm oil for the London market.	0 5 0
9 Sept.	Sydney Cove..	Chas's McLaren	"	292 8 16	Prize ....	London..	John Bull .....	Fishery and London.	Ballast .....	0 5 0
21 "	New Zealand	Will. Elder ....	"	258 8 23	"	"	Dan'l Bennett .....	"	175 tons of sperm oil for the London market.	0 5 0
21 "	Favourite..	Arnold Flak....	American	153 1 16	American	Calcutta	G. Blaxell & Co. ....	"	Sundry merchandise for fast settlement.	0 5 0
27 "										1 15 0

Naval Office, Sydney, New South Wales, 30th September, 1811.

H. GLENHOLME, Naval Officer.

1811  
30 Sept.  
Shipping,  
inwards and  
outwards.

1811

## GOVERNMENT AND GENERAL ORDER.

5 Oct.

Head-quarters, Sydney, 5th October, 1811.

A road  
through  
Hyde Park.

HIS Excellency the Governor having deemed it expedient to shut up and close altogether the communication between Sydney and the Brickfields,\* which has been hitherto through Hyde Park, and instead thereof to direct that the communication between these places shall be in future by the turnpike road only, notice is hereby given that all horses or other cattle in harness or draft, cows, sheep, goats or pigs, which may be found in any part of Hyde Park, will be taken up and impounded for trespass. A fence having been lately made between Hyde Park and the Brickfields, leading from Mr. Palmer's boundary line at the bottom of the Surry Hills to the lane or street in which the watch-house stands in Brickfield Hill,† no person is in future to lead or drive any cattle through Hyde Park, on pain of having said cattle impounded for such trespass; and all persons are enjoined not to pull down or otherwise to destroy or injure the said fence, but, on the contrary, to be aiding and assisting to the constables in detecting any evil-disposed persons who may do injury thereto. And notice is hereby given, that any person convicted of having done an injury to said fence, or otherwise acted in opposition to this Order, will be punished in a most exemplary manner.

A dividing  
fence.

The tollbar.

HIS Excellency also commands and directs that all bricks, pottery, or other articles of whatever nature, which may be sent from the Brickfields to Sydney, or from Sydney to the Brickfields, shall be passed through the turnpike-gate or toll-bar, and pay the same toll as if going to or coming from Parramatta, and any articles which may be sent to or from the Brickfields by any circuitous or different road from the public turnpike road is to be seized, the cattle drawing or carrying them impounded for trespass, and the person so endeavouring to evade the regular toll to be severely fined and punished.

South Head  
Road.

The public are further to take notice that a new line of road having been lately laid out and compleated, leading from the extremity of Pitt-street through Hyde Park to Mr. Palmer's boundary gate at the bottom of Surry Hills, where it joins the new road,‡ leading from thence over said hills to the South Head,

\* It must be borne in mind that, at the time this Order was promulgated, Pitt-street did not extend farther south than Park-street. Where George-street now crosses Hay-street, there was then a small bridge spanning a creek which ran from the foot of Surry Hills, through what is now Belmore Park, continuing in a W.N.W. direction across the site of the Belmore Markets, and emptying itself into the head of Darling Harbour (then known as Cockle Bay). The land lying on the northern bank of this creek was known as The Brickfields. It extended northwards about as far as what is now known as Liverpool-street.

† The watch-house referred to stood at the corner of George-street and Liverpool-street. It must not be confused with one built shortly afterwards at the south-east corner of Pitt and Liverpool streets. The "lane or street" mentioned in the Order was that now known as Liverpool-street.

‡ Now known as Oxford-street.

Rockie Bay Pk



Rockie Bay Pk

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all persons are to take notice that such cars, carts, or waggons, as may be sent for any purpose whatever towards the South Head Road, must be sent by the new line of road leading from Pitt-street as above-mentioned, and are by no means to be driven within the said park or by any other direction than this new road, on pain of the cattle being impounded for trespass, and the person or persons driving them severely punished by fine and imprisonment.

1811  
5 Oct.

## GOVERNMENT PUBLIC NOTICE.

Head-quarters, Sydney, 5th October, 1811.

His Excellency the Governor, anxious for the accommodation of the inhabitants of Sydney, and in pursuance of the intention signified in his General Orders of the 6th of October last,\* gives this public notice that he has assigned, and caused to be marked out and measured, a large common in the immediate vicinity of Sydney, containing one thousand acres, for the common pasturage of the cattle belonging to the inhabitants of Sydney. The public are to take notice that said commonage is described by the acting-surveyor in the following terms:—"Bounded on the west side by twenty-eight chains of Surry Hill Farm and a south line of ninety-six chains; on the south side by an east line of ninety-seven chains; on the east side by a north line to the road leading from Sydney to the South Head, and on the north side by that road."† For the purpose, however, of making said description and boundaries more clearly understood and known, the limits of said commonage will be further marked by four posts, with suitable labels, which will be erected on the most conspicuous angles or parts thereof.

The Sydney  
Common.

Boundaries.

This land being thus assigned for the use of the public, no excuse can be made for persons in future turning their cattle at large to seek food where it may be most easily found, without considering whether they may not trespass on private property and do material injury to the gardens and inclosures of other persons; and the public are therefore cautioned not to permit any horses, horned cattle, sheep, goats, or pigs to stray in future, either upon the grounds called Hyde Park, or on any private property belonging to other persons, as all cattle which may be thus found trespassing are to be taken up and put into the common pound of Sydney until all damage incurred by them shall be fully discharged.

Grazing  
cattle.

His Excellency thus communicates to the public that he will make a regular grant of said common lands to the Judge-Advocate and magistrates of Sydney, for the time-being, in trust for the benefit of the present and of all succeeding inhabitants of Sydney.

Trustees.

By command of His Excellency the Governor,

J. T. CAMPBELL,  
Secretary.

\* Ante, p. 429.

† The boundaries are shown on the annexed map.

1811

12 Oct.

Fees and  
charges.

## GOVERNMENT PUBLIC NOTICE AND ORDER.

Government House, Sydney, Saturday, 12th October, 1811.

HIS Excellency the Governor, deeming it of material importance that the fees and charges in all the public departments of the Government should be put on a clear and equitable footing, and confirmed by his sanction, having called for returns from those officers of the fees and charges therein usually demanded, and examined the same, and having maturely considered the several duties annexed to those departments, on the one hand, and the general resources of the colony on the other, has been pleased to direct that, in the several departments, the Judge-Advocate, the Secretary, the Naval Officer, the Provost-Marshal, and the Deputy Provost-Marshal, the Jailor, and the Chief Constable, that the fees and charges as specified in the following schedules shall be received in future; and he further directs that, as the said fees and charges are on a very moderate scale, that they shall be paid in sterling money, dollars, store receipts, or Paymasters' notes, and that none of the base Colonial currency shall be received in payments to be made into any of the offices herein mentioned:—

## Fees to be received in the Judge-Advocate's Office.

The Law  
Office.

	£	s.	d.
1. For each and every writ, where the sum sued for is under £10—to the clerk ... ..	0	2	6
2. For each and every writ, where the sum sued for is £10 and under £30—to the Judge-Advocate, 3s. ; to the clerk, 2s. ...	0	5	0
3. For each and every writ, where the sum sued for is £30 and upwards—to the Judge-Advocate, 5s. ; to the clerk, 2s. 6d. ...	0	7	6
4. For entering each cause for trial—to the Judge-Advocate, 5s. ; to the clerk, 1s. 8d. ... ..	0	6	8
5. For hearing of each cause and recording the verdict—to the Judge-Advocate, 5s. ; to the clerk, 1s. 8d. ... ..	0	6	8
6. For calling each cause—to the crier ... ..	0	1	0
7. For each and every writ of execution—to the Judge-Advocate, 5s. ; to the clerk, 2s. 6d. ... ..	0	7	6
8. For each and every affidavit sworn before the Judge-Advocate—to the Judge-Advocate ... ..	0	2	6
9. For every bail bond entered into before the Judge-Advocate...	0	10	0
10. For each and every attested copy of proceedings, for every folio containing 72 words—to the Judge-Advocate, 1s. ; to the clerk, 4d. ... ..	0	1	4
11. For the probate of every will or grant of letters of administration—to the Judge-Advocate ... ..	4	0	0

## The Notary's Fees to be received in the Notarial Department in the Judge-Advocate's Office.

	£	s.	d.
For noting every promissory-note or bill of exchange ... ..	0	2	6
For protesting every promissory-note or bill of exchange, exclusive of noting ... ..	0	7	6
For ship's protest of occurrences at sea, extracted from the log-book ... ..	3	3	6
For all attestations to letters of attorney, affidavits, &c....	0	7	0
For entering every notice of protest—to the Judge-Advocate's clerk ... ..	0	5	0

# OFFICERS' FEES.

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Secretary's Office.				1811
Fees upon grants of land—extracted from the Royal Instructions, dated 20th August, 1789.				12 Oct.
Governor's Fees.				Governor's fees.
		£	s.	d.
For the Great Seal to every grant not exceeding 1,000 acres	...	0	5	0
For all grants exceeding 1,000 acres—for every 1,000 each grant contains	...	0	2	6
For a licence of occupation	...	0	5	0
Secretary's Fees.				Secretary's fees.
For every grant, and passing the seal of the province, if under 100 acres	...	0	5	0
Between 100 and 500 acres	...	0	10	0
All above	...	0	15	0
In grants of land where the number of proprietors shall exceed twenty—each right	...	0	2	6
In grants of land where the number of proprietors shall not exceed twenty—the same as for grants in proportion to the quantity of land.	...	0	2	6
For every licence of occupation of land	...	0	2	6
For every grant of land from 1,000 to 20,000 acres—take for the first 1,000 acres	...	0	15	0
And for every 1,000 acres more	...	0	2	6
Fees to be taken by the Chief Surveyor of Lands.				
For every lot under 100 acres	...	0	2	6
From 100 to 500 acres	...	0	5	0
Above 500 acres	...	0	7	6
Every township, if above twenty rights—each right	...	0	2	6
Auditors' Fees.				
For the auditing of every grant	...	0	3	4
Registrar's Fees.				
For recording a grant of land for or under 500 acres	...	0	1	3
For recording a grant of land from 500 to 1,000 acres	...	0	2	6
For every 1,000 acres to the amount of 20,000	...	0	10	6
For recording a grant of a township	...	1	0	0
Fees to be received in the Secretary's Office, sanctioned by His Excellency the Governor, Sydney, 19th February, 1811.				
On all special licenses for marriages, and Colonial appointments, and commissions of whatever kind, where the official seal is affixed	...	5	5	0
On the registering of vessels exceeding forty tons—p'r ton	...	0	1	0
And to the principal clerk	...	0	10	0
On affixing official seal to the clearances of vessels for foreign voyages or fishing—p. ton	...	0	0	6
For every person leaving the colony, whereof 1s. goes to the principal clerk	...	0	2	6
Transcripts of all papers—p. folio of 72 words, 1s.; and transcribing clerk, p. do., 3d.	...	0	1	3
Licenses for Colonial vessels coastwise to the Coal River, Hawkesbury, or elsewhere, not extending to Van Diemen's Land or Basses Straights, as heretofore to Coal River	...	0	5	0

1811	Fees to the Principal Clerk.			£	s.	d.
12 Oct.	On free or conditional pardons—each	...	...	0	5	6
	On certificates and tickets-of-leave—each	...	...	0	2	8
Fees for pardons.	NOTE.—Sixpence on the free and conditional pardons, and two-pence on certificates and tickets-of-leave are to be paid to the Government Printer as a remuneration for the paper and printing.					
	On Receiving Appeals.					
Appeals.	If for the sum of £50 or under, as heretofore	...	...	1	1	0
	Upwards of £50 and not exceeding £100	...	...	2	2	0
	Upwards of £100 and not exceeding £300	...	...	3	3	0
	Any sum exceeding £300	...	...	5	5	0
	On all appeals { to the principal clerk	...	...	0	10	0
	{ to the door-keeper	...	...	0	5	0
	Affixing Colonial seal to appeals to the King-in-Council	...	...	5	5	0
	Principal clerk	...	...	0	10	0
	Transcripts of all papers, p. folio of 72 words, 1s. ; and transcribing clerk, p. do., 3d.	...	...	0	1	3
	Schedule of duties, fees, and perquisites in the Naval Officer's Department.					
Naval Officers.	Entry for a ship with articles for sale and in Government service	...	...	0	15	0
	Do. do and not in Government service	...	...	1	10	0
	Do. with no articles do do	...	...	0	15	0
	Do. for all foreign vessels	...	...	3	0	0
	Permission to Wood and Water.					
Wood and water.	For every vessel not exceeding 100 tons, per register	...	...	1	0	0
	Do. upwards of 100 and not exceeding 200 tons	...	...	2	0	0
	Do. upwards of 200 and not exceeding 300 tons	...	...	3	0	0
	Do. upwards of 300 and not exceeding 400 tons	...	...	4	0	0
	Do. upwards of 400 and not exceeding 500 tons	...	...	5	0	0
	Do. upwards of 600 tons	...	...	6	0	0
	Permission to trade	...	...	1	1	0
	Dues of each bond	...	...	0	10	6
	Do. of port clearance	...	...	0	5	0
	Do. of port to the Naval Officer's clerk	...	...	0	2	6
	Do. to the Naval Officer's clerk for each permit to land spirits or wine, per cask	...	...	0	0	6
	For Colonial Vessels.					
Shipping.	Deeds of entry and clearance to the Hawkesbury	...	...	0	4	0
	Do. to Norfolk Island and Newcastle	...	...	0	10	0
	Do. to the fishery or settlements at the southward	...	...	0	10	0
	Do. to Naval Officer's clerk	...	...	0	2	0
	King's Dues for Orphans.					
Orphan dues.	For each ton of coals for home consumption	...	...	0	2	6
	Do. exported	...	...	0	5	0
	For each 1,000 square feet of timber for home consumption	...	...	3	0	0
	Do. do do exported	...	...	6	0	0
	Duties.					
Duties.	Ships from any part of the world importing cargo's (the manufactures of Great Britain excepted) to pay a duty of 5 per cent. <i>ad valorem</i> on the amount of their respective invoices.					
	On every gallon of spirits landed	...	...	0	3	0
	Do. wine do.	...	...	0	0	9
	Wharfage on each bale, cask, or package	...	...	0	0	6
	The Naval Officer to receive 5 per cent. on all duties collected at this port.					

# OFFICERS' FEES.

599

Wharfinger's Fees.				£	s.	d.	1811
On each bale, cask, or package, landed or shipped...	...	...	...	0	0	3	12 Oct.
Metage per ton on coals—one half to be paid at the Coal River, the other here	...	...	...	0	2	0	Wharf rates.
Measure of timber per 1,000 feet	...	...	...	0	2	0	

Provost-Marshall's Office.				£	s.	d.	
For every writ not exceeding £30	...	...	...	0	13	0	Provost-
Do. above £30 and not exceeding £50	...	...	...	0	17	0	Marshal.
Do. all writs above £50	...	...	...	1	2	0	
For all Rules of Court the same sums in proportion.	...	...	...	...	...	...	
For the service of every subpoena	...	...	...	0	1	0	
Upon every bail bond from the defendant	...	...	...	0	10	0	
From every debtor on his discharge from gaol	...	...	...	0	12	0	
Upon every execution in the same proportion as upon writs.	...	...	...	...	...	...	
To levy money at the rate of 5 p. cent. from £100 downwards.	...	...	...	...	...	...	
Do. from £100 to £500, 4 p. cent.	...	...	...	...	...	...	
Do. from £500 to £1,000, 3 p. cent.	...	...	...	...	...	...	
Do. from £1,000 upwards, 2½ p. cent.	...	...	...	...	...	...	
Upon all sales under execution, 5 p. cent.	...	...	...	...	...	...	
For a man to take charge of goods seized by execution—if	...	...	...	...	...	...	
virtualled by the persons levied upon—per day	...	...	...	0	2	6	
If not	...	...	...	0	5	0	
Upon bonds given to prosecute appeals	...	...	...	1	1	0	

Deputy Provost-Marshall's Fees.				£	s.	d.	
For the service of every bailable writ	...	...	...	0	2	6	

Gaoler's Fees.				£	s.	d.	
For every debtor on his discharge from each action	...	...	...	0	1	0	The Gaoler.
From every sailor confined for being disorderly, for the first night thereof	...	...	...	0	2	6	
For every following night	...	...	...	0	1	0	
From every free person and person having a ticket-of-leave taken up and confined for being disorderly, on the discharge of the same	...	...	...	0	3	0	
From every person receiving a certificate of his or her term of transportation being expired (reference being always had to the black-book in his possession)	...	...	...	0	0	6	

Fees to be received by the Chief Constable.				£	s.	d.	
On the apprehending and lodging in jail any sailor who may be found riotous or disorderly	...	...	...	0	2	6	The Constable.
Of which fee 1s. is to be paid to the constable or constables assisting in the apprehension.	...	...	...	...	...	...	
For each night that sailors so apprehended may be confined	...	...	...	0	2	6	
Which fee is to be divided as the foregoing.	...	...	...	...	...	...	
For the apprehending of deserters or runaway sailors, to be divided equally among the apprehending constables and himself	...	...	...	2	0	0	
For serving summonses from the Judge-Advocate's office for debts under forty shillings, each summons	...	...	...	0	1	0	
For the seizure of stills or other articles prohibited by the Colonial Regulations, and ordered for distribution among the seizing constables; the Chief Constable is to receive an equal proportion with them.	...	...	...	...	...	...	

Approved— L. MACQUARIE.

1811

## GOVERNOR MACQUARIE TO EARL LIVERPOOL.

18 Oct.

Sydney, New South Wales,

18th October, 1811.

Correspondence.

My Lord,

1. Since my last despatch to your Lordship, dated the twenty-seventh of October, 1810,\* per the brig, *Atalanta* (a duplicate whereof accompanies the present), I have been honored with your Lordship's several letters, and the various papers respectively accompanying them. I have also the honor to acknowledge the receipt of several letters from the Honorable Cecil Jenkinson and Robert Peel, Esq'r., the Under-Secretaries of State, with their respective enclosures.

Shipping.

2. No direct conveyance for England having offered since the sailing of the *Atalanta* above alluded to, I have been of course precluded from transmitting regular despatches to your Lordship with a detailed account of my proceedings since that period, which circumstance renders it the more incumbent on me to discharge that duty to your Lordship by embracing the present opportunity.†

General state of the colony.

3. I feel great satisfaction in being enabled to report to your Lordship that this colony is at present, and has been ever since I had the honor of taking charge of the Government, in a state of the utmost peace and tranquillity. The subordinate settlements of Hobart Town and Port Dalrymple, in Van Dieman's Land, and Norfolk Island, were in the same happy state of peace and quiet at the date of the last despatches received from the Commandants of those respective places; and it is a matter of high gratification to me to be enabled to state to your Lordship that the country at large is in a progressive state of improvement, and the people in general are making considerable progress in the cultivation of their lands, taking much greater pleasure in honest industry than heretofore, and becoming daily more temperate and more religious.

Macquarie's tour of inspection.

4. In the concluding paragraph of my former despatch, dated the twenty-seventh of October, 1810,‡ I informed your Lordship that it was my intention to set out, soon after that date, on a tour of inspection to the out-settlements and interior parts of the colony, which have been hitherto but little explored, and, consequently, very little known. In pursuance of this intention, I set out from Sydney on the sixth of November, taking with me the Acting Surveyor and some good guides, and after a very satisfactory and interesting tour, which occupied thirty-seven days, I returned hither on the thirteenth of December last. The result of this tour, I trust, will not be unacceptable to your Lordship; and I, therefore, take the liberty of transmitting herewith,§ for your Lordship's

\* Ante, p. 437. It will be noticed that nearly twelve months intervened between Macquarie's despatches.

† The vessel by which Macquarie sent this despatch was the *Providence*.

‡ Ante, p. 443.

§ See the Government and General Order of 15th December, 1810, ante, p. 468.

information, a brief summary of the remarks and observations which I was led to make during my progress thro' the country, and the measures I was hence induced to adopt for its improvement and the amelioration of the state of the inhabitants, which summary I issued under the head of "General Orders" on the fifteenth of December, 1810, immediately after my return to Sydney. The various plans therein recommended, and the encouragements held out, I have since steadily abided by, and endeavoured to impress their usefulness on those to whom they particularly refer. The several townships mentioned in those General Orders have been all marked out long since, and horned cattle and sheep have been distributed among those settlers who were deemed worthy of such indulgence, or whose circumstances required such aid. Lands have been also located to a very considerable number of free and emancipated persons in situations in the new districts, where the devastations of the River Hawkesbury and Nepean cannot possibly reach them. The high forest lands wherein these townships are placed, affording to the farmer the cheerful prospect of good and plentiful harvests, secure from the calamity of the floods, must add to the internal resources of the colony, and at all times insure a sufficiency of grain to meet the entire consumption of the inhabitants.

1811

18 Oct.

An account of his trip.

Encouraging settlers.

5. In the progress of my tour I visited all the inhabited parts of the colony, and penetrated that part of it known by the name of "The Cow Pastures," where the wild cattle graze, to the westward of the Nepean, to a distance of not less than fifteen miles from that river. This soil I found generally very good, as well for tillage as for pasturage, and well watered. Here I saw numerous herds of the wild cattle, which appeared in excellent condition, ranging over this beautiful and extensive forest in all directions. I found them, however, in such numerous herds, and so very wild, that I conceive it utterly impossible to form anything like an accurate estimate of their numbers. However, taking into consideration the great number of the herds which I fell in with in various directions, and totally apart from each other, I conceive their aggregate amount cannot be less than from four to five thousand within the range of the "Cow Pastures" alone, and there is some reason for believing that some of the cattle have strayed from thence into tracts of country where they have not yet been traced by Europeans.

The Cow Pastures.

The wild cattle.

6. Fully impressed with the political necessity for the preserving the wild cattle and facilitating their increase, I beg to recommend in the strongest manner to your Lordship that no more orders may be given to any adventuring free settlers whom your Lordship may think proper to permit to come out to this colony for lands to be located to them in any part of the country to the westward of the Nepean River. Mr. McArthur and Mr. Walter Davidson

Reserves for cattle.

1811  
18 Oct.  
Macarthur  
and David-  
son's grants.

having obtained orders from Home to that effect, got grants of large extent in the "Cow Pastures" from Governor King, which they then took possession of and commenced graziers in the immediate vicinity of where the Government wild herds grazed. The consequence has been that the stock-keepers and shepherds belonging to those gentlemen, availing themselves of their remote situation and the impossibility of detection, kill and destroy numbers of the wild cattle. This fact will, I trust, influence your Lordship not to make any further locations in that range of country, which is, in other points of view, the less necessary as there still remain large tracts of good land unappropriated on the eastward of the Nepean, which, from local situation, is better adapted to supply the wants of the colony, or of its present population, than the other. The lands called the Cow Pastures, if not alienated to individuals, but exclusively appropriated to the use of the wild cattle belonging to the Government, I feel no hesitation in saying will, in the course of a very few years, prove a source of considerable wealth to the Government and colony at large in the supplies they will afford in the articles of hides and tallow, exclusive of the quantities of beef, which will be from thence turned into the Government stores free of every expense but that of slaughtering and curing, and which, in my opinion, will be fully adequate to the victualling of all those persons necessarily dependent on the Crown for subsistence.

A source of  
future  
wealth.

Govern-  
ment farms  
abolished.

7. Here I beg to report to your Lordship that I have totally abolished the Government agricultural establishment, it having been proved by the experience of several years to be totally inadequate to its object, and very expensive to Government. Those convicts who had been employed in this useless establishment are now much more beneficially employed in the service of private settlers, to whom I have assigned them.

Govern-  
ment cattle.

8. The assignment of cattle which I have lately made from the Government herds to the old and newly established settlers have considerably reduced their numbers; but, notwithstanding this diminution, the horned cattle belonging to Government in the tame herds are not fewer than three thousand six hundred of all descriptions. The preserving of these tame herds I consider to be of the utmost importance, and, therefore, should, in my opinion, be persevered in for several years to come, as well for the benefit of the Crown as for the great assistance derived from them by the new settlers, who seldom possess the means of purchasing cattle from other individuals, who generally hold them, not only at high prices, but also demand prompt payment; whilst, on the other hand, the settlers by purchasing from Government at a moderate price, and on a liberal credit, are enabled to acquire herds and wealth to themselves, and to pay Government at the end of eighteen months or two years, either in money or in kind, as may best suit their convenience. The expence of this establishment

Assisting  
settlers.

being also but trifling, can never be considered a sufficient inducement to abolish it, the good effects of which are alike felt by the Government and by the people in general, and which has already been the means of diffusing herds over the extent of the colony, and of raising the humble and industrious settlers to comfort and independence.

1811

18 Oct.

9. I do myself the honor to transmit to your Lordship herewith\* copies of the accounts current between the Acting Commissary here and the Lords of His Majesty's Treasury, made up from the thirtieth of September, 1810 (the date of those already transmitted), to the thirtieth of September last, from which accounts your Lordship will have a view of the whole expences of the colony for the last twelve months, and will perceive the number and amount of the bills which I have found it necessary to sanction being drawn by the Acting Commissary on the Lords of the Treasury to cover those expences. I sincerely regret that they should have arisen to so large a sum ; but I can with confidence assure your Lordship that no expences have been incurred which could have been possibly avoided ; and I have peculiar satisfaction, whilst on the subject of expenditure, to inform your Lordship that at this time the quantity of dry provisions in store, and already paid for, is fully nine months' supply for the victualling of all those persons who are necessarily supported by Government. A large quantity of salt or wet provisions is also in the Government stores, and all the subordinate settlements have been tolerably well supplied with both wet and dry provisions from hence ; and I have further to claim your Lordship's attention to the circumstance that all the expences of the subordinate settlements of Hobart Town, Port Dalrymple, and Norfolk Island are now blended with and included in the general account current herewith transmitted. Adverting to these circumstances, and to the consideration of my having been obliged to purchase large quantities of slops for the clothing of the convicts, and various articles of stores and materials, at a price far exceeding that of regular Government stores, in order to the carrying on the public works essentially necessary to have compleated, I entertain the fullest assurance that your Lordship will not deem those expences, under the circumstances I have stated, by any means unreasonable or unnecessarily incurred.

Accounts  
current.Stores in  
hand.Expenses of  
sub-  
settlements.

In the 10th paragraph of my despatch, dated the twenty-seventh of October, 1810,† I communicated to your Lordship my intention of liquidating the claims of the Norfolk Island settlers on this Government ; and I have now the satisfaction to inform you that I have liquidated almost the whole of those claims, according to a plan which I then submitted to your Lordship, namely, by paying

The Norfolk  
Island  
settlers.

\* These voluminous accounts are omitted.

† Ante, p. 439.

1811

18 Oct.

Settlement  
of claims of  
Norfolk  
Islanders.

two-thirds of the claims in money and the remaining third part in cattle, and there now remain only a very few claims unadjusted, those yet unpaid remaining so in consequence of doubts respecting their being fair or just. The amount of sums paid off on this account has been in money four thousand nine hundred and ninety-eight pounds two shillings and seven pence sterling, for which expenditure I now do myself the honor to transmit your Lordship the account current. The Acting-Commissary will forward by this opportunity to the Lords of the Treasury the whole of the corresponding vouchers and receipts for the claims of the Norfolk Island settlers, in explanation of the accompanying accounts current.

Dearth of  
convicts.

11. I have not heretofore had it in my power to extend the measure of assistance in Government men to the Norfolk settlers who removed some time since to the Derwent, to which, by the tenor of Mr. Secretary Windham's instructions to the Governor of this colony, they were entitled, in consequence whereof they have been and still continue very importunate. The demand for male convicts at head-quarters and the surrounding districts having necessarily embraced all the supplies of men who have arrived during my Government, I have not been enabled to extend assistance in that way to the Norfolk settlers at the Derwent and Port Dalrymple, except on one occasion, when I sent sixty of those who arrived by the ship *Anne*, in February, 1810. It is, however, a great hardship on those transplanted settlers to be obliged to remain so long without the assistance of such number of male convicts as they were, under Mr. Secretary Windham's letter, entitled to receive, and to have victualled for a certain time from the King's stores. In consideration of this circumstance, I, therefore, respectfully submit to your Lordship that the first ship to be despatched from England with male convicts shall be directed to touch at the Derwent in Van Dieman's Land, and there disembark the entire number of convicts which may be on board, for the use of that settlement and of Port Dalrymple, and more especially for the benefit of the Norfolk settlers in those places, to whom the engagement of Government has been so long pledged, and I conceive that it will require nearly two hundred convicts to satisfy their claims in that way. Mechanics of all descriptions, and labourers to carry on the necessary public works of Government, are also much required at those two settlements. I hope your Lordship will see the necessity for landing one ship's convicts at the Derwent for the purposes above mentioned, and that you will give directions to that effect. Convicts being thus landed in Van Dieman's Land direct from England will be the means of saving a serious expence which must otherwise be necessarily incurred by the hiring of vessels to carry them from hence, together with their slops, baggage, &c., and additional risk. For the same

Labourers  
wanted.

Convicts  
should be  
sent to  
Hobart.

An economi-  
cal measure.

reasons, I beg leave to recommend strongly to your Lordship that a ship with female convicts should be instructed to stop and land them at the Derwent for the benefit of that settlement and of Port Dalrymple, to which the proportion assigned for its accommodation might be sent either overland or by sea.

1811

18 Oct.

12. Anxious to make myself intimately acquainted with every part of the colony and its dependencies over which I have the honor to govern, I have taken the resolution to proceed on a tour of inspection to the settlements in Van Dieman's Land, and purpose sailing for thence about the latter end of the present month on board the Government Colonial vessel, Lady Nelson. I mean to proceed, in the first instance, direct to the Derwent and from thence overland to Port Dalrymple, and shall give instructions for the Lady Nelson to coast round from the Derwent, so as to receive me when I shall be ready to re-embark at Port Dalrymple. I mean to view and examine accurately as much of the country at and near those settlements as I possibly can, surveying their harbors and rivers, and enquiring into the nature of the soils and woods of those places, and into the general capabilities of the country at large. I trust I shall be enabled to execute all this, and to make such local arrangements, and point out such improvements, as appear necessary for the better government of those dependencies, and return hither again within two months from the date of my departure. The observations which I shall be enabled to make in the course of this tour thro' Van Dieman's Land, and its general result, I shall do myself the honor to communicate by an early opportunity to your Lordship.

Macquarie  
to visit Van  
Diemen's  
Land.

Proposed  
route.

13. On my arrival at the Derwent I shall have an opportunity of making enquiries respecting the bill for eight hundred pounds which was drawn by order of the late Lieutenant-Governor Collins in favor of Captain Sladden, of the Royal Marines, on the Lords of the Treasury, and shall report the result of my enquiries thereon to your Lordship, agreeably to the orders conveyed to me in Mr. Peel's letter, dated the fifteenth January last.

A disputed  
bill.

14. Previous to the present time I have not had an opportunity of reporting to your Lordship that, finding it absolutely necessary to build a general hospital, the old one being in so wretched a state of decay as to threaten tumbling down, and being also inadequate in size to the increased population of this place, I received proposals for building one by contract, and the terms offered by Messieurs Wentworth, Blaxcell, and Riley appearing highly advantageous, I have now the honor to inform you that I have sanctioned a contract being entered into between the Acting Commissary and those gentlemen for their erecting a general hospital at Sydney, on terms and conditions which I have deemed highly advantageous to Government. The building is to be elegant and commodious, and sufficiently large to accommodate, comfortably, at least two

The rum  
hospital.

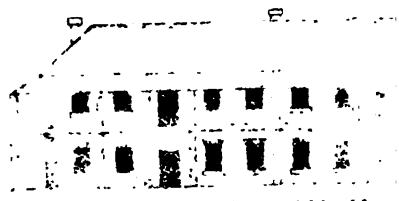
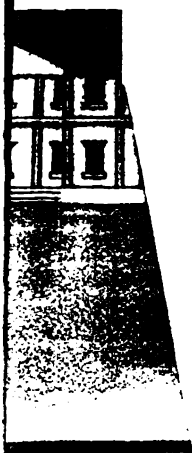
The terms of  
the contract.

1811	hundred sick persons, and is also to comprehend suitable quarters
18 Oct.	for all the medical officers who may be required at Sydney. I do
Capacity of building.	myself the honor to transmit herewith, for your Lordship's inspection and approval, a copy of the contract* entered into with those gentlemen, accompanied with the elevation and ground plan of the whole, the terms of the contract having appeared to me so very advantageous, and the necessity for a new building of this kind so imperious that I flatter myself the measure I have adopted will meet your Lordship's fullest concurrence and approbation.
Terms of the contract.	On perusal of the contract itself, your Lordship will perceive that a spacious, elegant, and indispensably necessary public building will be erected, without any tax proportional to its magnitude being laid on the Government, the oxen given for slaughter to the contractors forming almost the entire of the expence that Government will be at for its erection. The contractors have engaged to perform the whole work in the course of three years, and in remuneration of payment for said building, their contract
Monopoly of spirits.	entitles them to the exclusive privilege of purchasing spirits within the same period to the amount of forty-five thousand gallons at the Government price, no other spirits being permitted within that time to be imported into the colony by private individuals, whilst Government relinquishes no part of its right to import such quantities as may be required for its own special purposes, and for the accommodation of the civil and military officers in the service of Government.† The duty on the import of spirits, which was only eighteen-pence per gallon on my assuming
The duty on spirits.	this Government, I have encreased to three shillings; and the contractors for the hospital have to pay this duty upon the quantity allowed them in payment for the building. My sole object and ambition in sanctioning this contract having been to procure expeditiously, and cheaply executed, a building which the circumstances of the country demanded, will, I trust, induce your Lordship's approbation of the terms themselves. Your Lordship
The site.	will perceive, from the inspection of the ground plan and elevation of the building, that it is to be erected on a large scale. The site is well chosen, being on an airy and elevated situation, whereby it is rendered a conspicuous and handsome object to behold. The situation is in the eastern extremity of the town, open to the sea breeze, and fronting towards Port Jackson. The building is now in progress, and will, I trust, be finished in less than two years from the present time.

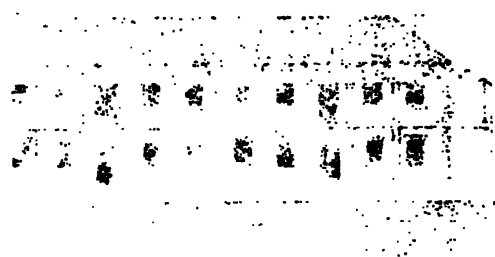
\* See the terms of contract, 6th November, 1810, ante, p. 449.

† The Secretary of State, replying to this despatch in May, 1812, severely criticised Macquarie's action in allowing the contractors to have the monopoly of importing spirits for public consumption. The profits made out of the retail trade must have been enormous. Lang states that the spirits were bought by the contractors at the rate of 3s. per gallon and sold for 40s. per gallon. The Secretary of State particularly wished to know who the coach-houses and stables were for; and asked in a most unmistakable way if it were true that the Principal Surgeon of the colony (Wentworth) were really a party to the contract.

PII

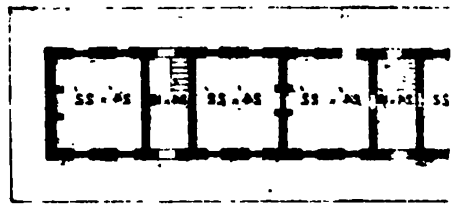
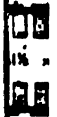
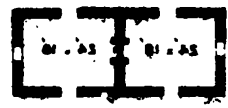


THE UNIVERSITY OF CHICAGO PRESS



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**THE**



15. At the time of my first taking charge of this Government, I found the police of the town of Sydney very defective and totally inadequate to the preserving of peace and good order in this populous and extensive town. Conceiving that a good and effective system of police was an object of very important consideration, I early turned my thoughts to that subject, and framed such a code of police regulations as I conceived would fully meet the objects in view, namely, the preserving peace and good order in the streets, and the protecting persons and property of the inhabitants from the attacks and plunder of the midnight ruffian and thief. This code of regulations I published and carried into effect by establishing them on the first of January last, and I have now the honor to transmit it herewith\* for your Lordship's perusal and approval. It gives me much satisfaction to be enabled to add that those regulations have been productive of the happiest effects, and have answered all the purposes for which they were framed, in a manner far beyond my most sanguine expectations; for I may here observe that the regularity and efficiency of the present system is not surpassed by that of any city in Europe. Previous to this police establishment, our streets frequently exhibited the most disgraceful scenes of rioting, drunkenness, and excesses of every kind, and each morning brought to light the history of thefts, burglaries, and depredations which had been committed the night before. Happily, such occurrences are now almost totally suppressed, and when an occasional plunder does take place, such is the vigilance of the police that justice speedily overtakes the delinquent. At the head of this establishment, under the appellation of Superintendent of the Police at Sydney, I have appointed Mr. D'Arcy Wentworth, the present Acting Principal Surgeon, whose long residence in this country gave him so full a knowledge of the persons and characters of the inhabitants as rendered him particularly well qualified for the situation, and he, in the most liberal manner, proposed to perform the duties of it free of all remuneration. The appointment of this gentleman, I am happy to say, has been very fortunate, he being indefatigable in his exertions and assiduity, whereby he has merited my fullest approbation and that of the public. As the duties of this appointment necessarily occupy a very considerable portion of Mr. Wentworth's time, I respectfully submit to your Lordship's consideration that a salary should be annexed to it of at least two hundred pounds p. annum, which salary can be paid from the Colonial resources in the Police Fund, should this measure receive your Lordship's approbation.†

1811

18 Oct.

Police regulations.

Effect of regulations.

Scenes of riot and excess.

D'Arcy Wentworth.

Salary of superintendent.

16. The public market, formerly held in Sydney, having been under very bad regulations, whereby the inhabitants were exposed

The new markets.

\* See these regulations, under date 1st January, 1811, ante, 479.

† The powers vested by Macquarie in the Superintendent were excessive. See section VI of the Police Regulations, ante, p. 432.

- 1811  
18 Oct. to much inconvenience and imposition, I some time since framed a new code of regulations for the better management of it, and the prevention of impositions therein; and at the same time I chose a situation, at once central and commodious for the inhabitants, for the site of the Market-place, the old Market-place having been, both in size and situation, inadequate and inconvenient,\* and on the twenty-fifth day of last October the new regulations and Market-place were established. The consequence of this establishment has been that the market is now plentifully supplied with the various produce of the country, whereby the inhabitants are well accommodated on reasonable terms, the competition amongst the settlers naturally bringing the price to its fair level. I have the honor now to transmit, for your Lordships notice and approval, a copy of the Market regulations here alluded to.†
- A necessary establishment.  
The Hawkesbury Road. 17. In the seventh paragraph of my despatch, dated the twenty-seventh of October, 1810, I‡ informed your Lordship that I had it in contemplation to form a regular public road between the town of Sydney and the river Hawkesbury, leading thro' the town of Parramatta, and the intermediate inhabited parts of the country, the whole being a distance of nearly forty miles. I have now the honor to inform your Lordship that this road was completed, so far as Parramatta, being a distance of sixteen miles, and opened as a turnpike road on the tenth of April last, two toll bars having been previously erected thereon, under the usual regulations which were published by proclamation on the thirtieth of last March,§ a copy of which I now transmit for your Lordship's inspection and approbation. The road, so far as is yet finished, is a remarkably good one, and proves a very material accommodation and benefit, both to the inhabitants of Sydney and Parramatta, and to those of all the surrounding country, who were nearly secluded from all intercourse by the almost impassable state of the old road. The continuation of this line of road from Parramatta to Windsor (the new name which I have recently given to the principal settlement on the banks of the Hawkesbury) is now in considerable forwardness, and will be finished, I expect, in the course of four or five months from the present time. When completed, I mean to establish it as a turnpike road in the same manner as I have already opened the road between this place and Parramatta. The advantages to the country at large from this ready communication will be felt full as sensibly as they have been on the line already opened, the old road having been, if possible, worse than that between Sydney and Parramatta. The rate of toll|| established on the Parramatta Road has been on so moderate a scale that no
- Toll bars erected.  
The Windsor Road.  
Moderate charges.

\* The old Market-place was situated on the western side of Lower George-street, north of Little Essex-street.

† See these regulations, under date 20th October, 1810, p. 430.

‡ Ante, p. 438.

§ The proclamation is printed on p. 514, ante.

|| The scale of charges will be found in the proclamation referred to.

murmur or complaint has ever been raised against it, the people feeling much pleased and happy with the accommodation thus afforded them, and the facility with which they can now travel on foot or on horseback, in carts or carriages, from one part of the country to another. When the road to Windsor shall be finished, I propose commencing a similar road from Sydney to the new town of Liverpool, being a distance of about twenty miles. In the vicinity of this latter town I have lately made a very considerable number of grants of land to small settlers, who prove very industrious, and I trust will be highly beneficial to the country by the clearing and cultivating forest lands.

1811

15 Oct.

The Liverpool Road.

18. The expence attending the construction of these public roads, which has been very considerable, has been paid out of the Colonial Police Fund ; and this fund arises principally from the duty of three shillings per gallon which I have laid on all spirits imported into this country. This advance from the Police Fund may be properly considered as a loan from it, for it is to be repaid by the amount of tolls levied at the turnpike gates, after deducting the salaries paid to the gatekeepers, &c., which is regularly paid into the hands of the treasurer of the Police Fund, and is so considerable as not only to pay the interest of the money so advanced, but also to leave a considerable surplus for the reduction of the principal itself.

The Police Fund.

19. I have the pleasure to report to your Lordship the safe arrival at this port of the four undermentioned ships, carrying male and female convicts from Great Britain and Ireland, since the date of my despatch of the twenty-seventh of October, 1810:—

Shipping.

(1.) The ship *Indian*, Mr. Andrew Barclay\* commander, arrived from England on the sixteenth of December, having on board a subaltern officer and thirty soldiers of the 73rd Regiment as a guard, and one hundred and ninety-two male convicts. Seven convicts died of disease, and one was accidentally drowned on the passage, the total number embarked having been two hundred convicts.

The Indian.

(2.) The ship *Providence*, Mr. Andrew Barclay\* commander, arrived from Ireland on the second of July last, having on board Major Geils, two subaltern officers, and thirty-six soldiers of the 73rd Regiment, as a guard, and one hundred and thirty-six male and thirty-eight female convicts. One female convict died on the passage.

The Providence.

(3.) The ship *Admiral Gambier*, Mr. Edward Sindrey commander, arrived from England on the twenty-ninth of September last, having on board two subaltern officers and thirty-two soldiers

The Admiral Gambier.

\* The *Indian* sailed for Calcutta on 24th February, 1811. There is nothing to show whether the Andrew Barclay mentioned as master of both vessels was one and the same person.

1811	of the 73rd Regiment as a guard, and one hundred and ninety-seven male convicts—the original number embarked having been two hundred, three of whom died on the passage.
18 Oct.	
The Friends.	(4.) The ship <i>Friends</i> , Mr. Jas. Ralph, commander, arrived from England on the tenth instant, having on board one hundred female convicts, which was the entire number originally embarked on board that vessel, and carrying some provisions and stores for Government.
Inspection of convicts on arrival.	I have here to inform your Lordship that I have, on all arrivals of convict ships, ordered a muster to be immediately taken of the convicts on ship-board by my Secretary and the Acting-Commissionary, and I afterwards take a muster of them myself so soon as landed, in order to ascertain the manner they have been treated during the voyage, and whether they have any complaints to prefer against the commander or surgeon of the ship in which they came. By the previous muster I also acquire a knowledge of the trades or professions of the convicts, which enables me to appropriate them afterwards in the most advantageous way for Government, and at the same time most easy for themselves. I have much satisfaction in reporting to your Lordship that the convicts arrived by these four ships were in general in good health, having been well treated on board, and had no complaints to make against either the commanders or the surgeons. The male convicts arrived in those ships proved a very seasonable and acceptable supply for the colony, the settlers in general having been in great want of labourers to carry on their agricultural and grazing concerns.
Treatment during voyage.	20. I herewith do myself the honor to transmit for your Lordship's information the following returns and reports, namely:—
General muster.	(1.) A general muster and return of the free settlers and convicts taken in February, 1811.*
Stock and land.	(2.) A general statement of the colony and of the stock and land under cultivation.†
Officers.	(3.) A return of persons holding civil and military offices under Government.‡
Stores.	(4.) A statement and return of the provisions now remaining in His Majesty's stores.§
Requirements.	(5.) A demand and return of slops, provisions, and stores required for the use of the colony.¶
Shipping.	(6.) The reports of the Naval Officer of the arrivals and departures of ships and vessels from the first of April, 1810, to the thirtieth of September, 1811, inclusive.
Vital statistics.	(7.) Returns of marriages, births, and deaths, from the first of January to the thirtieth of September, 1811.¶¶
Criminal statistics.	(8.) Reports of prisoners tried by the Criminal Court at Sydney, from the twelfth March, 1810, to the twelfth of October instant, inclusive.¶¶¶

\* Ante, p. 502.

† Not available.

§ Omitted.

‡ Practically the same as that given on pp. 365-7, ante.

¶ Ante, p. 593.

¶¶ Ante, p. 592.

- (9.) Returns of absolute and conditional pardons granted to male and female convicts from the first of January, 1810, to the fourteenth of October instant.\* 1811  
18 Oct.
- (10.) Return of grants of land and leases made from the first of January, 1810, to the seventeenth of October, instant.† Pardons.  
Land grants.
- (11.) A demand for certain tools or implements required for the use of the Government manufactory at Parramatta, which being absolutely necessary, it is respectfully requested that they may be sent hither by the earliest opportunity.‡ Tools wanted.
- (12.) A demand for certain standard scales, weights, and measures much required for the use of the public market at Sydney, and which it is requested may also be sent out by the earliest opportunity.‡ Weights and measures.
21. I omitted in my former despatch to report to your Lordship that I had reinstated Mr. Leonard Fosbrooke in the situation of Deputy Commissary at the settlement of Hobart Town, soon after the decease of the late Lieutenant-Governor Collins. Mr. Fosbrooke, in consequence of some dispute with the Lieutenant-Governor, had resigned that appointment; but on the death of Lieutenant-Governor Collins, he applied to me to reinstate him, and as no reasonable objection appeared thereto, I reinstated him on the ninth June, 1810, and I have to hope that this measure will meet your Lordship's approval. Commissary Fosbrook.
22. I transmit herewith the copy of a letter which I addressed to your Lordship, under date the twelfth of June last,† and committed to the hands of Lieutenant Edward Lord, of the Royal Marines, who sailed from hence for England in the ship *New Zealand*, on the twenty-sixth day of September last. To this letter I beg leave to refer your Lordship on the subject of that officer's public accounts during the period of his own command of the settlement of Hobart Town, and for some time previous to the death of Lieutenant-Governor Collins. To both those accounts I declined giving my sanction, or taking any responsibility on myself for their payment; but under the circumstances of the case I instructed Lieutenant Lord to draw bills himself on the Lords of the Treasury for the amount of the expences incurred at that settlement, and for which he should be held personally responsible, and he has accordingly drawn those bills. Lieutenant Lord.
23. Some time after Lieutenant Lord arrived here from Hobart Town, I received a letter from Captain Murray, the Commandant at that settlement, which enclosed to me an account of sundry articles furnished to Lieutenant Lord from the King's stores for his own private use, and certified by the Deputy Commissary. This account Lieutenant Lord neglected to discharge previous to his leaving Hobart Town, and I therefore directed the Acting Lieutenant Lord charged with converting stores to his private use.

\* Omitted.

† Not available.

‡ Ante, p. 544.

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Correspondence with  
Lord.

Commissary here (Mr. Broughton) to demand payment of it from Lieutenant Lord, it being of a private nature and totally unconnected with his public accounts whilst in the command of that settlement. Instead, however, of paying this account, when thus called on, he wrote some very petulant and impertinent letters, which he addressed, not to the Commissary, who had written to him by my direction, but immediately to myself. I did not, however, resort to any harsh measure in consequence of his very improper conduct, lest my doing so should have prevented his return to England at that time, when a good opportunity awaited him; but I conceive it my duty to submit for your Lordship's consideration copies of the correspondence above-alluded to, together with the copy of the account itself, which enumerates the articles drawn from His Majesty's stores at Hobart Town by Lieutenant Lord for his own private use and for which he still remains indebted to the Crown, and submitting to your Lordship's consideration the propriety of Lieutenant Lord's being called upon for payment of it by your Lordship's authority on his arrival in England.

Thomas  
Arndell.

\* \* \* \* \*  
26. I do myself the honor to transmit to your Lordship a memorial\* from Thomas Arndell, Esquire, some time ago Senior Assistant Surgeon on this establishment, from whence it would appear that he had been permitted to retire and settle in this colony on a pension allowed him by Government in consideration of his long services and bodily infirmities. Mr. Arndell continued to receive this pension for several years, but for some reason, totally unknown to him, it was at length discontinued, and his agent at Home could never recover it for him. Mr. Arndell now solicits the renewal of it, and I most strongly recommend the prayer of his memorial to your Lordship's indulgent and favourable consideration. This gentleman is now far advanced in years, and has a wife and a numerous family of children to provide for, whom he has brought up and educated in a most respectable way, but his means of support, arising altogether from the produce of his farm, are very inadequate to this object. I beg to assure your Lordship that in point of character he is an honest good man, and a very loyal subject, and I conceive in every point of view fully deserving the indulgence he now solicits.

Isaac  
Nichols.

27. I also take the liberty to transmit for your Lordship's favorable consideration a memorial presented to me by Mr. Isaac Nichols, Principal Superintendent of Convicts, soliciting an augmentation of his salary, the present one of seventy-five pounds per annum being very inadequate to his support and maintenance in that responsible situation. I therefore beg leave to recommend

\* Omitted. Arndell's memorial contained nothing of importance beyond the statement that his pension was stopped when Governor King departed from the colony in 1806, and that he had been unable to recover the arrears or to ascertain why the pension was stopped. The arrears (£300) were voted on the Imperial Estimates for 1812.

the prayer of Mr. Nichols's memorial to your Lordship's notice and indulgent consideration for such augmentation to be made to his present salary as your Lordship may deem suitable. The duties he has to perform are various and arduous, requiring great assiduity and personal exertion ; all which circumstances induce me to recommend that his salary may be augmented to at least one hundred pounds per annum.\*

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28. Joseph Inch, a free man, residing at present in Sydney, A free man. and who bears a very good character for honesty, sobriety, and industry, being extremely desirous to obtain your Lordship's permission for his mother, now resident in London, to come out to him in this country in one of the convict transport ships, and having addressed a memorial† to me to this effect, I take the liberty to transmit this memorial herewith for your Lordship's notice, and I have to request that the favor he therein solicits, founded as it is in filial duty and attachment, may be granted him.

29. I am much concerned to be under the necessity of reporting to your Lordship that I have lately, thro' inadvertency, fallen into an error by the extension of His Majesty's Royal mercy to two culprits who were tried some time ago by the Criminal Court here and convicted of murder, in each of which cases, certain favorable circumstances having appeared in behalf of the culprits, I was induced to grant them conditional pardons, or, in other words, to remit the infliction of the sentence of death on the express condition that they should remain convicts for life in this territory, and be kept during their lives at hard labour. On a reference lately had to my commission as Governor-in-Chief of this territory, I found that the power of extending pardons to persons convicted of murder had not been delegated to me, and that I only had the power to respite until His Majesty's pleasure should be known. Having thus overstepped the bounds of my authority, and trespassed on Royal prerogative, I must now solicit your Lordship to have the goodness to state this awkward occurrence to His Royal Highness the Prince Regent, and to intreat that His Royal Highness will be graciously pleased to confirm and renew the conditional pardons which I have thus granted to the two culprits. I transmit herewith for your Lordship's consideration the counterparts of the conditional pardons themselves, and trust that your Lordship will be kindly pleased to express my sorrow to His Royal Highness for having fallen into so great a mistake.

The prerogative of pardon.

Macquarie exceeds his powers.

30. The rapid increase of the population in this colony within the last few years, and the very considerable degree of importance it has acquired by the arrival of several free and respectable

The growth of the colony.

\* The recommendation was acted upon.

† Not available.

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settlers with their families from England who have come hither to establish themselves in the farming line, or as merchants, have frequently suggested to my mind the propriety and sound policy of revising and amending the present code of civil and criminal law which was originally established for the government of this territory on the first formation of a British colony on the eastern coast of New Holland under Governor Philip in the year 1788.

Legal  
reformis.

31. On the subject of the Civil and Criminal Courts abovementioned, I have had several serious conversations and discussions with Mr. Bent, the Judge-Advocate, in whose sound sense and professional knowledge I have the fullest confidence ; and I am happy to add that his opinion perfectly coincides with mine, that in the greatly changed and highly improved state of the colony at the present day, both in regard to its increased population and its increasing resources, it is highly expedient and necessary that the present code of civil and criminal law which is acted upon should undergo an investigation and revision at Home for the better government of this territory.

Judge-Ad-  
vocate Bent.

32. On the foregoing grounds, I take the liberty of submitting for your Lordship's consideration the following sketch of the alterations proposed to be made in the judicial department of this colony ; and at the same time I beg to refer your Lordship to a letter\* which Mr. Bent has promised to address to your Lordship by the present opportunity on this very important and interesting subject, wherein he purposes entering into a minute detail for your Lordship's more complete information. If the sketch I now take the liberty to submit to your Lordship should prove worthy of your notice, and be deemed worthy of being acted upon when the subject shall be taken into serious consideration by His Majesty's Ministers, I shall feel highly gratified in having proposed an alteration which His Majesty's Ministers shall approve.

#### Criminal Department.

Trial by  
jury.

(1.) That trial by jury (as it prevails in England) should be established in this colony.

Quarter  
sessions.

(2.) That sessions of Oyer and Terminer and General Gaol Delivery should be held quarterly by virtue of commissions issued by the Governor under the seal of territory.

A clerk of  
the peace.

(3.) That a person should be sent out from England (an attorney if possible) in the character of clerk of the peace, whose duty it should be to draw up all indictments of a public nature, to attend the sessions, to preserve all records, &c., of a criminal nature, to receive fines, to make out precepts for the appointment of magistrates, to arraign prisoners, and to record verdicts, &c., &c., &c.

(4.) That the sessions should be held by the Judge.

\* Post, p. 621.

(5.) That the Court should consist of a Judge, a grand jury, a petty jury, a Provost-Marshal or sheriff, a clerk of the peace, two barristers, two attornies, a crier, and a court-keeper. 1811  
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(6.) That the Judge should have all such powers as are usually granted. Composition  
of Court.

Civil Department—Law Side.

(1.) That in this department there be also trial by jury. The Civil  
Court.

(2.) That the Court shall meet at certain regular terms for the trial of causes, and also for the hearing of arguments in cases where special verdicts may have been found, or where special cases may have been reserved for the opinion of the Court.

(3.) That for the present the Judges of this Court should consist of the Judge of the colony, who shall be president, and two magistrates, to sit by regular rotation. Judge and  
two magis-  
trates.

(4.) That the practice of the Court shall be, as nearly as circumstances will allow, governed by the practice of the Court of King's Bench. King's  
Bench.

(5.) That the Court shall consist of the Judges, jury, Provost-Marshal or sheriff, one registrar or prothonotary to enter and keep the records, &c., two barristers, two attornies, a crier, and a court-keeper. Constitution  
of Court.

Civil Department—Equity Side.

(1.) That the same judges shall sit also as a Court of Equity, hearing and deciding causes by bill and answer, and by petition, according to the rules of the Court of Chancery. Court of  
Equity.

(2.) That there should be a master, to whom accounts might be referred, a registrar, two barristers, two solicitors, a crier, and a Court-keeper. Officers of  
Court.

(3.) That the fees in all the Courts should be regulated by those taken in India, or in other His Majesty's colonies. Fees.

(4.) That the Judge of the colony should act as ordinary in granting probates of wills, letters of administration, &c. The same two barristers and attornies might practice in all the Courts. One of the barristers might be King's Advocate, one of the attornies King's Proctor. The same person might hold the situations of Clerk of the Peace, Registrar of the Civil Courts, Master in Equity, and Registrar of the Court of Admiralty. Ecclesiasti-  
cal jurisdic-  
tion.

The only persons I conceive necessary to be sent from England would be :— Officers and  
their  
salaries.

	Salary p. annum.
1. A Judge ... ..	£1,500
2. A barrister (King's Advocate)...	500
3. One other barrister ... ..	No salary.
4. An attorney (King's Proctor) ... ..	300
5. One other attorney, without salary, who might act as Public Notary.	
6. One person as Clerk of the Peace — — —	500

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The Appeal  
Court.

33. In case a plan formed on the foregoing basis should be adopted, appeals to the Governor might possibly be then dispensed with ; but it might even in that case be advisable to authorize appeals to His Majesty-in-Council in all cases where the verdict of the Court should be for a sum exceeding six thousand pounds. At present appeals are allowed to be made to His Majesty-in-Council in all cases where the verdict of the Court is for a sum exceeding three hundred pounds sterling—a circumstance which, considering the natural tendency of the people of this country to litigation, is attended with the most ruinous and distressing consequences to the honest creditor, who is thus, by the very laws which should secure his property, withheld from it during the tedious process of an appeal to the King-in-Council, which can seldom be brought to a final issue in less than three years.

Bent to be  
the first  
Judge.

34. In the event of the adoption of the plan now proposed for the improvement of the judicial department of this colony, I respectfully take the liberty to recommend Mr. Bent, the present Judge-Advocate, for the appointment of Judge, with a salary of not less than fifteen hundred pounds per annum, which will not be more than adequate to his laborious and extensive duties, and to the support of the high and dignified rank he will necessarily have to maintain. So far as I am capable of forming a due estimate of the necessary qualifications, I do not know any man more suitably qualified to preside at the head of the judicial department of this colony than Mr. Bent, who has most happily blended the mildest and gentlest disposition with the most conciliating manners, great good sense, and accurate legal knowledge.

Van Die-  
man's Land.

35. I presume your Lordship is aware that there is no distinct patent for the holding Courts of Civil or Criminal Jurisdiction at the settlements of Hobart Town and Port Dalrymple in Van Dieman's Land, and in consequence thereof all civil and criminal cases arising there must be brought before the Courts here, which is a distance of not less than seven hundred miles from either of those settlements. This will naturally appear to your Lordship a very great inconvenience and a most serious grievance to the inhabitants of those settlements, as their being obliged to resort to the Courts of Justice at Sydney must be attended with very heavy expence, great loss of time, and no inconsiderable degree of personal risk. I would, therefore, strongly recommend that a separate patent should be granted for Van Dieman's Land, authorising the holding of Courts of Civil and Criminal Jurisdiction at the principal settlement of Hobart Town, in the same manner as they are now held at Sydney for the whole territory of New South Wales. Should your Lordship approve of such an establishment at Van Dieman's Land, and obtain a patent to that effect, I beg to suggest that it would be necessary to send thither a well-qualified lawyer to act as Judge-Advocate, in the room of the present acting

No local Law  
Courts.

one, Mr. Bates, who should be recalled, being totally unqualified, from his want of legal information, to fill so respectable and important a situation. 1811  
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36. I have the honor to inform your Lordship that a new range of barracks for the accommodation of the troops was completed in the latter part of the last year; and as I deemed it indispensibly necessary that all the military barracks and the numerous Government buildings occupied by the civil officers should be under the superintendence and direction of some particular officer, I have appointed Captain Archibald John MacLaine, of the 73rd Regiment, to act as Barrack-Master, with a salary of ten shillings per diem, from the first day of January last, and I have to solicit your Lordship's approval of an appointment here indispensibly necessary. The new military barracks.

37. I feel most sincere pleasure in communicating to your Lordship that the very favorable appearance at present of the crops throughout this country, and particularly of the wheat, gives the most satisfactory promise of an abundant harvest; and should the country be so fortunate this season as to escape the fatal effects of the inundations of the rivers Hawkesbury and Nepean, the ensuing harvest will probably supply a sufficiency of grain for the entire consumption of the colony without having recourse as heretofore to importations of wheat from India. The wheat crops.

38. In order, however, not to leave the country totally dependent on the precarious events of the season, I have deemed it expedient to direct the import of a moderate supply of wheat from Bengal, which I expect will be delivered here in the month of February next. Imported wheat.

39. This despatch will be delivered to your Lordship by Captain John Piper, of the 102nd Regiment, whom I take the liberty to recommend to your Lordship's favour and protection. Captain Piper commanded for some years at Norfolk Island, and is well qualified to afford your Lordship every necessary information respecting that settlement, which he commanded with great credit to himself and to the satisfaction of the Governors-in-Chief of this territory. His salary, as Commandant was only five shillings per day, which was far from being adequate to the defraying his necessary expences or to the supporting the respectability of the rank of Commandant. From these considerations I am induced to submit to your Lordship's liberality of sentiment that he should receive at Home some additional remuneration for his services during the command of Norfolk Island. In furtherance of Captain Piper's claims, I beg to add that he is an officer of highly respectable character, and that to him I am much indebted for useful information and able assistance in the arrangement and liquidation of the claims of the Norfolk Island settlers, who had been removed from thence on the partial evacuation of that country—some to this place, and some to Van Diemen's Land. Captain Piper. An under-paid but valuable officer.

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18 Oct.  
—  
Macquarie  
seeks official  
approval.

40. In drawing this dispatch to a conclusion, I cannot avoid expressing some anxiety to know whether the line of conduct which I pursued on my taking charge of this important colony has been such as to meet the approbation of my Sovereign and his Ministers. Your Lordship not having yet honored me with a despatch in acknowledgement of the one I had the honor to send on that occasion so interesting to my feelings, I indulge the hope that I shall soon receive one, and that I shall have the inexpressible gratification to find the measures which I then deemed necessary to adopt and pursue will have met my Sovereign's approbation, and that your Lordship will give my administration of this Government credit, at least for rectitude and integrity of principle.

I have, &c.,

L. MACQUARIE.

[Enclosure No. 1.]

ACTING-COMMISSARY BROUGHTON TO LIEUTENANT LORD.

Sydney, New South Wales,

Commissary's Office, 1st July, 1811.

Sir,

Articles  
supplied to  
Lord.

I am commanded by His Excellency to inclose you an account of sundries supplied you from His Majesty's stores at Hobart Town, to the correctness of which he requests you will immediately reply, as Mr. Deputy Commissary Fosbrook is on the point of taking his departure from this place. A messenger is dispatched for the express purpose of receiving your answer.

I am, &c., WILLIAM BROUGHTON,

Acting Commissary.

Lient. Edward Lord, Dr. to Leon'd Fosbrook, on Government account.

1803.		£ s. d.
Oct'r	30—To 19½ gallons of port wine, @ 12/1 .....	11 15 7
Dec'r	5—To 28 lb. yellow soap, @ 12½d. ....	1 9 2
1804.		
Jan'y	14—To 8 gallons of port wine, @ 12/1.....	4 16 8
March	12—To 9 do do do .. ..	5 8 9
"	26—To 10 do rum, 11/-.....	5 10 0
April	13—To 25 lb. moist sugar, 1/- .....	1 5 0
"	21—To 2 pair of worsted hose, @ per doz. @ 48/9 .....	0 8 2
"	21—To 10 do do do @ 31/6 .....	1 6 8
May	2—To 8 gall'ns of port wine, @ 12 1 .....	4 16 8
"	21—To 5 do rum, @ 11/-.....	2 15 0
July	23—To 4 do port wine, @ 12/1 .. ..	2 8 4
Sept'r	8—To 9 do do @ 12/1 .....	5 8 9
"	28—To 10 do E.I. rum, @ 13/- .....	6 10 0
Oct'r	23—To 10 do do .. ..	6 10 0
Nov.	17—To 10 do do .. ..	6 10 0
"	20—To 12 do do .. ..	7 16 0
Dec'r	22—To 3 do do .. ..	1 19 0
1805.		
Jan'y	11—To 6 pair cotton stockings, @ 3/7½.....	1 1 9
"	22—To 17 gallons of E.I. rum, @ 12/- .....	10 4 0
Feb'y	8—To 17 do do .. ..	10 4 0
March	1—To 20 do do .. ..	12 0 0
Dec'r	24—To 1 piece ferritting .....	0 5 6

	£	s.	d.	
Dec'r 28—To 50 lb. sugar, @ 1/- .....	2	10	0	Nil
„ 31—To 50 lb. soap, @ 1/1 .....	3	0	8	18 Oct.
„ 31—To 1 lb. pins .....	0	2	7	
1808.				
Jan'y 27—To 1 piece ferritting .....	0	5	6	
Feb'y 20—To 50 lb. flour, @ 6d. ....	1	5	0	
March 7—To 12 yards check, @ 1/9 .....	1	1	0	
1809.				
March 29—To 10 gall'ns of E. I. rum, @ 12/- .....	6	0	0	
May —To 34 do do „ .....	20	8	0	
Errors excepted .....	145	1	2	

Hobart Town, River Derwent,  
Van Diemen's Land,  
12th Feb'y, 1811.

LEONARD FOSBROOK,  
D'y Comm'y.

[Enclosure No. 2.]

LIEUTENANT LORD TO GOVERNOR MACQUARIE.

Sir, Parramatta, 2nd July, 1811.

In answer to Mr. Act'g Commissary Broughton's letter of yesterday's date (this moment received), containing your Excellency's commands on the subject of a demand made against me by Mr. Act'g Dep'y Commiss'y Fosbrook, and requiring me to make an immediate reply to the correctness of such demand, as Mr. Fosbrook is on the point of departing for Van Diemen's Land,—I have to observe that as I am at a loss to make out your Excellency's wish, I can only suppose you are desirous of knowing whether I received the various items expressed in Mr. Act'g Dep'y Commiss'y's account or no; and therefore, for the satisfaction of your Excellency, I must reply in the affirmative.

But at the same time I cannot help observing, as your Excellency declined interfering or taking any responsibility for the acts of the late Lieut.-Governor Collins and my administration over the settlement at Hobart Town, and in the most pointed manner in which your Excellency particularly expressed that you left it wholly for me to account to His Majesty's Minister's for the acts of the late Lieut.-Governor and myself during such administration; and as I have, in consequence of such particularly pointed declaration on the part of your Excell'y, held myself accountable to the British Government for all such public acts.

I have of course no intention of omitting (in the responsibility to His Majesty's Ministers) any account in which I am myself concerned.

I have, &c., EDW'D LORD.

[Enclosure No. 3.]

ACTING-COMMISSARY BROUGHTON TO LIEUTENANT LORD.

Sir, Commissary's Office, Sydney, 3rd July, 1811.

His Excellency the Governor handed over your letter addressed to him, in answer to mine of the first instant, containing Mr. D'y Commiss'y Fosbrook's account of sundries supplied

Articles supplied to Lord from public stores.

Lord comments on Macquarie's action.

Lord will account to Government.

The list of articles supplied to Lord.

1811  
18 Oct.  
Broughton  
demands  
payment.

you from His Majesty's stores at Van Dieman's Land, the correctness of which you admit of. His Excellency the Governor has, therefore, directed me to demand the payment thereof; but, at the same time, he has desired me observe that if the payment of this sum may be a matter of inconvenience now, he has no objection, as you have accounts of more importance to settle with Government, to transmit the account in question to His Majesty's Ministers.

I have, &c.,  
W<sup>m</sup>. BROUGHTON,  
A'g Comm'y.

[Enclosure No. 4.]

LIEUTENANT LORD TO GOVERNOR MACQUARIE.

Sir, Wentworth House, Parramatta, 9th July, 1811.

Lord's  
statement of  
accounts.

I have the honor to reply to your Excellency's directions, commands, and demands, contained in Mr. Act'g Com'y Broughton's letter to me of the 3rd instant, by observing that as your Excellency has at length thought it necessary to interfere, after having given me repeated assurances you had no intention of doing so, and as on the other hand the Government are indebted to me, instead of me to them, it will be equally convenient on my part to receive the balance from the Government here, should your Excellency deem yourself authorized in discharging it.

Return Mr. A'g D'y Com'y Fosbrook's account, agreeable to your wish.

I have, &c.,  
EDWARD LORD.

[Enclosure No. 5.]

ISAAC NICHOLS'S MEMORIAL.

Sydney, 14th October, 1811.

The humble memorial of Isaac Nichols,—

Respectfully sets forth :—

The Principal Superintendent's duties.

That memorialist is Principal Superintendant, to which situation is attached the charge of all the gangs employed in the public works, the great diversity and extent of which occupy him in a constant state of activity, not only during the hours of public labor, but during the whole of every day in the week, and not unfrequently at some hours of the night.

Forced to keep a horse,

That memorialist could not possibly encounter the fatigues of his office, or attend with necessary promptitude to its various calls, on foot, and is, therefore, at the expence of keeping a horse for the purpose, with the great prices of which species of animals in this colony, as also with the expence of fodder, your Excellency is acquainted cannot be estimated at a less value than 45 pounds or 50 per annum.

and to preserve a respectable appearance.

That the situation occupied by memorialist is such as most indelibly to require his supporting a clean and respectable appearance in his habilitment, which, from the usual prices of the

various articles of cloathing, cannot be accomplished but at a heavy additional expence at least exceeding £100 per cent. upon the British prices. 1811  
18 Oct.

That memorialist has also to provide himself with a dwelling-house, not having any such allowed to him by Government, which, at the least calculation, cannot be estimated at a less value than £35 or 40 per annum, to meet all which is in the enjoyment of no further salary than £75 per annum, subject to £10 per cent. income tax, whereby it is reduced to £64 per annum only, which is not equivalent to the foregoing object, without consideration of his own and infant family's support in a colony where the articles of necessity are seldom cheap, and at intervals are incalculably dear. House rent.

That his predecessor, Mr. Nicholas Devine, enjoyed the former salary without any deduction, in the primitive institution of the colony, to the time of memorialist's succeeding him, nearly four years since, during which latter interval, your Excellency is aware, that from the vast encrease of the public works, the labour and responsibility of the charge must have encreased in considerably more than a fourfold in proportion. That his said predecessor was also allowed a dwelling house and spacious garden, adequate, as memorialist conceives, to £50 per annum, in addition to his other advantages, as also a horse for many years; so that memorialist, with so vast an additional exertion and responsibility, varies considerably less than his predecessor did receive, and finding upon a trial of several years that he sustains a serious loss to himself and family, instead of benefitting by the situation, he humbly presumes to claim your Excellency's attention to the facts contained in this memorial, and to solicit from your Excellency such augmentation to his said salary as may compensate him for his necessary expences, and his personal exertions, which he presumes to hope are equivalently advantageous to His Majesty's Government. Divine's emoluments.  
  
Allowed a house and horse.  
  
Asks for an increase.

I have, &c., ISAAC NICHOLS,  
Princ'l Super't't.

JUDGE-ADVOCATE BENT TO EARL LIVERPOOL.

Sydney, New South Wales,

My Lord,

19th October, 1811.

19 Oct.

1. A few days previous to my departure from England to fill the situation of Judge-Advocate of this territory, I was informed by Mr. Cooke that it was the wish of Viscount Castlereagh (then at the head of the department over which your Lordship now presides), that I should communicate to him, for the information of His Majesty's Ministers, my sentiments upon the means hitherto adopted for the administration of justice in New South Wales; and that I should more particularly enquire whether the trial by jury in criminal cases could be easily and advantageously introduced into this territory. Administration of justice.

1811

19 Oct.

A letter to  
Cooke.Bent's views  
on constitu-  
tion of  
Courts.Primitive  
Courts.A new order  
of things.The Crim-  
inal Court.Duties of  
Judge-  
Advocate.

2. In obedience to that wish, a few months after my arrival here, I availed myself of the return to Europe of the Hindostan, Captain Pasco, to address a letter to Mr. Cooke, under date, I believe, of the 9th May, 1810,\* in which I endeavoured to explain my sentiments upon those topics; but the very reduced state of my health at that period prevented me from writing in so satisfactory a manner as the importance of the subject demanded.

3. Conceiving, however, that your Lordship will be equally anxious to obtain correct information relative to points so essential to the well-being of this part of His Majesty's dominions—urged too by a strong sense of duty, and by the earnest wishes of His Excellency the Governor—I now venture, with much submission, to transmit to your Lordship some more detailed observations upon the constitution of the Courts of Justice in this colony, wherein I shall humbly endeavour to point out to your Lordship their present inaptitude to the purposes of their formation; and, also, with the entire concurrence of His Excellency the Governor, to direct the attention of your Lordship to a plan for the more effectual administration of justice, the adoption of which will be attended with little additional expence, but, I sincerely trust, with much benefit to every individual of this community.

4. Your Lordship is no doubt aware that His Majesty's patent, by virtue of which the Courts of Civil and Criminal Judicature are held in this colony, has received no alteration since its first promulgation. A cursory review of the provision of that instrument will satisfy your Lordship that it could be intended only for a very small community, where the mutual dealings between man and man are of the most simple nature, and the disputes which arise may be very easily and satisfactorily decided in a summary manner.

5. But that state of society is now passed; the free and respectable population is much more numerous; the commercial dealings between this colony and other parts of the world, particularly India, are of very considerable extent; cases of great legal difficulty are daily arising; and complex questions of account, involving large masses of property, form the frequent subjects of deliberation of the Court of Civil Judicature.

6. In the course in which I now propose to myself to lay before your Lordship the observations I am about to make, I will first beg leave to call your Lordship's attention to the constitution of the Court of Criminal Judicature.

7. That Court consists of the Judge-Advocate and six officers belonging to His Majesty's Forces by sea or land, appointed by the Governor or other officer in command.

8. The Judge-Advocate is the President of the Court, and it is his duty to examine the depositions taken (perhaps by himself)

\* The letter was dated 7th May, 1810. It will be found on p. 376, ante.

upon the committal of offenders, to prepare the informations upon which they are to be tried, to cause the necessary witnesses to be summoned, to exhibit those informations to the Court, to conduct and make minutes of the trial, to take down the evidence, to make such observations thereon to the other members of the Court as he may deem expedient, to pronounce the judgment of the Court, to make up the record of the conviction or acquittal of the prisoners, and to take charge of all the records of the Court.

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9. Your Lordship will observe that this duty is both laborious and complicated. The Judge-Advocate is thus at once the committing magistrate, public prosecutor, and judge, and he is called upon to decide upon the legality of the informations drawn up and exhibited by himself. An onerous post.

10. It may also be observed that, from being so intimately concerned in the preliminary steps of every prosecution, it is hardly possible for the Judge-Advocate to free his mind from some degree of bias against the innocence of the prisoners; and I need hardly add that his opinion must necessarily have great weight with the other members of the Court.

11. Another observation which I should wish to suggest to your Lordship relative to the Court of Criminal Judicature is that in its constitution it bears a strong analogy to that of a Court-Martial. The title of Judge-Advocate, with the circumstance of so large a majority of the Court being composed of officers, either military or naval, gives the Court so strong a military cast that, I may say, all the officers and most of the inhabitants of the colony look upon the Court in no other light than as a Court-Martial. Practically a Court-Martial.

12. On this account the Court of Criminal Judicature does not command that veneration, awe, or respect which ought ever to attend upon a Court of Justice, and the numerous free, respectable, and affluent inhabitants of the colony are rendered amenable to a jurisdiction originally intended for the summary investigation of the crimes of prisoners, and established too at a time when there were no other but military or naval officers proper to be appointed to act as members of a Court of Justice. An anomaly.

13. But whatever defects are attached to the constitution and practice of the Court of Criminal Jurisdiction, they are much exceeded by the inconveniences which result from the course of civil procedure established in this colony, as the objects of the latter jurisdiction are infinitely more varied, embrace every possible degree of complexity, and are more or less felt by a vast proportion of the individuals composing this community. But this subject is so extensive that I am sure I should weary your Lordship were I to attempt to develope all the inconveniences resulting from the limited means of this Court and the great mass of business which comes before it. I will, therefore, intreat permission to The Civil Court.

- 1811 select a very few of the leading defects of this department of our  
19 Oct. judicial system, and very shortly to submit them to your Lordship's consideration.
- Constitution of Civil Court. 14. By His Majesty's patent, to which I beg leave to refer your Lordship, the Court of Civil Jurisdiction is ordered to consist of His Majesty's Judge-Advocate and any two respectable inhabitants of the colony, to be appointed by virtue of a precept from His Excellency the Governor; and I would particularly call the attention of your Lordship to one circumstance: that this Court is directed by the patent to decide all causes whatsoever which may come before it in a summary manner.
15. The first inconvenience to which I would wish to direct your Lordship's attention is the total want of a regular judicial body, and of proper officers of the Court. The consequences of this defect are twofold, for it throws an intolerable burthen upon the Judge-Advocate, and causes great delay and grievance to the suitors of the Court.
- No counsel or solicitors. 16. In consequence of the want of regular counsel and solicitors to afford legal advice to those who have occasion to apply for it, the Judge-Advocate is constantly called upon to give his advice upon all occasions where an action is about to be brought or defended. It is his duty to state in writing the cause of action, to issue all processes, to prepare the evidence in many cases, to preside at the trial, to take down the evidence, and keep correct minutes of the proceedings. It is also his business to make out all orders and decrees of the Court whatsoever. Having so much to do it can be done but imperfectly; for I do assure your Lordship that the labour it imposes, to be executed properly, is beyond the power of one man.
17. From this motive, and also from a wish to avoid the embarrassment which might perhaps result from it in my decisions, I have lately in most cases declined giving my opinion out of Court; but the consequence of this has been that I am frequently called upon to try actions of great importance without the smallest previous knowledge of the nature of the facts at issue between the parties.
- Conduct of business in the Civil Court. 18. Another unpleasant consequence arising from the want of regular advocates and solicitors is that as, in most cases, the parties themselves appear in person to prosecute or defend the actions in which they are concerned, they bring into Court with them all the passions and enmities towards each other, by the effect of which justice is much obstructed, order subverted, solemnity and decorum set at defiance, and an inconceivable degree of discredit thrown upon the proceedings and authority of the Court.
- Rules and forms of Court. 19. The want of proper rules and forms pointing out the due practice of the Court in all cases is another defect which I should

wish to mention to your Lordship, and it is one which, on the present system, is almost irremediable; for though it were an easy matter it would be but of little use to establish forms and rules where there are no persons whose immediate duty and interest it is to make themselves acquainted with them; and where the only persons whose business it is to take notice of them are those whose hours are occupied by other avocations, and whose education and pursuits through life never afforded opportunities of attending to or understanding them.

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20. But though these evils, my Lord, may be considered as sufficiently palpable and mischievous, they are not the only ones incidental to our present judicial system; for there is one, and it is the last to which I shall beg your Lordship's attention, the consequences of which are of a most alarming nature to the interests of the colony: I mean the right which is given to all persons who feel themselves aggrieved by the decrees of the Colonial Court, in cases where the debt or demand is of greater value than the sum of £300, to appeal from those decrees to His Majesty-in-Council. The consequences of this right are rapidly undermining, and must soon accomplish the ruin of the credit of this colony. All debts above the sum of £300 are now looked upon as debts of honor, and by the acquisition of this right the fraudulent debtor obtains such a manifest advantage over his creditor that he can force him to the acceptance of any terms, however unjust. I am very sorry to be obliged to add that but too many of the traders of this colony are in general so devoid of principle that they in all cases make use of this advantage. The consequence is that a private bill of exchange drawn here for a larger amount than the sum of £300 is not negotiable upon any terms, and the merchants—more especially the foreign merchants—will not take in payment any other bill than those drawn on the behalf of Government, or by the Paymaster of the regiment stationed in the colony.

The right of  
appeal  
abused.

21. Upon the whole view of the judicial system of the colony, I would humbly submit to your Lordship that its general faults are, that it does not now meet the wants of its increased and ameliorated population and commerce; that the officers attached to it are too few either for the convenient or orderly dispatch of business; and that its proceedings are of a nature too summary, not sufficiently final, and too much wanting in solemnity to command the respect and deference which ought ever to be paid to Courts of Justice.

Defects of  
the judicial  
system.

22. I trust your Lordship will excuse me, in now offering a few observations on the situation which I have the honor to hold. I am inclined to believe, from what I have already stated, that your Lordship will think the duties of the Judge-Advocate are too multifarious, and too heavy to be discharged satisfactorily by one person. Many of those duties appear to be inconsistent with the

The office of  
Judge-  
Advocate.

1811 character of a Judge, and to belong rather to that of an advocate.  
 19 Oct. I will also venture to add that his situation is too dependent, as he is bound by the very tenor of his commission to obey any orders he may receive from His Excellency the Governor or Lieutenant-Governor, or other his superior officer. This circumstance must certainly diminish the confidence of the public in his character, and expose him to the suspicion of being liable to undue influence, and, therefore, prevent him from commanding that respect which is the just title of all who fill a judicial situation of importance. Considering this want of independence, in a personal point of view, I can assure your Lordship that the comfort and happiness of any Judge-Advocate—nay, even the proper discharge of his duty—must depend entirely upon the personal character of the person in whose hands the executive power of the colony happens to be vested. Permit me here to add, my Lord, that this observation is very far from being meant to apply to my situation at present; for the courtesy and conduct of Colonel Macquarie bespeak so strongly his uniform wish to promote the happiness of all, that I cannot but feel it a pleasure to serve under him.

Dependent  
on Governor.

Report of  
cases tried in  
Civil Court.

23. In order to afford your Lordship every means in my power of forming a correct judgment of the weight that may be due to the opinions I have ventured to lay before your Lordship on this important subject, and of the great benefits that would be derived by this colony from the establishment of a new and more enlarged judicial system, I beg to refer your Lordship to the accompanying report\* of the number of causes which have actually come before me for trial during the eighteen months which have elapsed since my arrival in this colony, in which are stated the amount of the sums sued for, and of the sums recovered, and that of the whole costs incurred in the recovery of the same. This report has been made out under my own immediate inspection, and I can confidently add that your Lordship may depend upon its accuracy. From this your Lordship will be able to obtain a tolerably correct idea of the extent of the legal business, dealings, and commerce of this country. Many of these causes are still undecided, and there are now applications for actions involving a mass of property not less than £60,000 due from different merchants in this settlement to mercantile houses of the first respectability in the city of London.

Remodelling  
the judicial  
system.

24. I have now, my Lord, to request your Lordship's attention to a plan for the remodelling of the judicial system of this colony, which I have very maturely considered, and have now the honor of laying before your Lordship with the entire concurrence and by the immediate desire of His Excellency the Governor; but I have already trespassed so long upon your Lordship's attention, that I will not venture to do more than sketch out the outline of the plan, without entering into any detail upon the minute parts of it

\* See the enclosure to this letter.

25. I should propose to your Lordship that a Supreme Court of Judicature be established at Sydney for the territory of New South Wales, consisting of one Judge (being a barrister of not less than five years standing) and two persons to be chosen by rotation from the magistrates of the territory. That in this Court should be vested full power to exercise all civil, criminal, and ecclesiastical jurisdiction ; to form such rules of practice, and rules for the process of the Court, as might be found necessary to the due administration of justice ; that this Court should be a Court of Record, and also a Court of Oyer and Terminer and Gaol Delivery for the territory of New South Wales ; and that the Judge of this Court should, in the exercise of his functions, be perfectly independent of the executive power of the colony, and removable only at the pleasure of His Majesty, expressed through his Ministers.

1811

19 Oct.

A Supreme Court.

An independent Judge.

26. I should further propose to your Lordship that this Court should be guided in its decisions by the common and statute law of Great Britain, except in cases where that law is altered by the bye-laws of this territory, or is inapplicable to the local circumstances of the country. I think it would be adviseable that all the bye-laws of the territory should be drawn up by one of the officers of the law and registered in the Supreme Court. These bye-laws are at present extremely vague and contradictory, and are only to be found among the General Orders of the different Governors of the territory. If my leisure and my health permit, I propose collecting and arranging them, and, under the authority of the Governor, from the present undigested mass, to endeavour to select a consistent and judicious body of regulations applicable to the circumstances and wants of the colony. Amongst these alterations of the law of England I should earnestly recommend it to your Lordship as a measure highly calculated to promote the ends of justice that real estates, lands, houses, &c., in this colony, or its dependencies, be rendered liable to all just debts and demands, and to be seized and sold by virtue of the process of the Supreme Court, in the same manner as personal chattels. Such a measure was adopted in regard to the British plantations in America, by virtue of a statute passed in the 5 Geo. 2, chap. 7, sect. 4.

An important departure.

27. In considering the extent of jurisdiction to be allowed to this Court, it will be necessary for your Lordship to advert to the situation of His Majesty's settlement in Van Dieman's Land, which your Lordship knows was once thought to be a part of the continent of New South Wales, and is now one of the dependencies of this Government. The distance of either of those settlements from this part of the territory, and their insular situation, would, perhaps, form an objection to the processes of this Court issuing there ; and as I am very imperfectly acquainted with their state and condition, I feel at a loss to give an opinion in regard to the mode best adapted for the due administration of justice therein.

Van Diemen's Land.

1811  
19 Oct.  
Legal practitioners.

28. To obviate many of those inconveniences which I have already enumerated, I should earnestly recommend that two barristers and two attorneys be induced to come out to practise their profession in this colony. I have no doubt that it might be practised here with much benefit to themselves and the community. Considering the extent of the profession of the law, and the different advantages which might be held out to them by the moderate grants of land and cattle, I entertain a very confident hope that the number of young men I have mentioned could be selected from the profession who would readily embrace any reasonable proposition of this nature which might be made to them.

Barristers  
and solicitors.

29. Of the barristers, one might come out with a salary, in the situation of King's-Advocate; the other might, perhaps, with much advantage, be placed at the head of the police, and have a general cognizance of the crimes committed by convicts. Of the attorneys, one might also have a salary, and fill the situation of King's Proctor, and the other could be appointed Coroner of the territory, with a power to take certain fees, or with a moderate salary, both of which might be charged on the Police Fund.

Clerk of the  
Peace.

30. I should also recommend to your Lordship that a professional person be sent out as clerk of the peace, whose duty it would be to draw up all indictments and information, to manage the formal parts of all prosecutions, to draw up all the orders of the Court, to make up and have the custody and charge of all its records. The same person might also hold the situation of registrar or prothonotary in the civil department of the Court, and act as a notary public.

Trial by  
jury.

31. After a very mature consideration of the state and condition of the colony, I feel myself justified in recommending to your Lordship that all offences, crimes, and misdemeanors to be enquired of by the Supreme Court, be tried by a jury of twelve free British subjects, resident in the territory; and that no indictment should be enquired of by such jury until it had previously been laid before a grand jury consisting of twenty-three free British subjects, also resident and having lands or houses in the territory. I have no doubt that grand and petty juries, so constituted, of great respectability may be impanelled in this colony with much facility, and that such an establishment would be considered as a blessing to the country, and received with the most perfect satisfaction.

Petty and  
grand juries.

Shall trial  
by jury be  
universal?

32. In the consideration of this plan, it will be a question well worthy of your Lordship's attention whether the benefits of such a trial by jury should be confined to the free residents of this colony, or whether they should be extended to the numerous convicts in the colony in any cases except those which affect the life of the accused. If I might be allowed to offer an opinion to your Lordship upon this point, I should deem it advisable that, except in

cases of a capital nature, or of great enormity, they should remain under the immediate controul of the police, and that the offences committed by them should be entirely under the cognizance of the Superintendant of that department. By this means they might be kept more orderly, and induced by sobriety and regularity of conduct to merit a readmission to those privileges once forfeited by their crimes.

1811

19 Oct.

33. With regard to the trial of pleas and suits of a personal nature, I beg leave to submit it as my opinion to your Lordship, that in those cases where the points in dispute can be reduced to one or more plain issues of fact, the trial by jury might also be introduced with great benefit to the public; but as many questions may arise of too complicated a nature to be advantageously submitted to the consideration of a jury, it would be also necessary that the Court should be enabled to act as a Court of Equity; so that its whole constitution would be somewhat on the model of the Court of Exchequer in England, which is at once a Court of both law and equity.

Personal suits.

34. In the event of your Lordship deeming it advisable to recommend to His Majesty the adoption of such a judicial system as that which I have had the honour to lay before your Lordship, I conceive that the right of appeal as it now stands might admit of a very considerable and beneficial limitation; for as such a system seems to me to justify a well-grounded confidence that the rights of individuals would be both ably discussed and impartially determined, I think that the right of appeal to His Excellency the Governor might be altogether dispensed with, and that no appeals whatsoever should be allowed to be interposed from the decrees of the Court to His Majesty-in-Council, except in cases where the debt or demand in dispute exceeded the value of £6,000.

The right of appeal.

35. This is the whole of the plan which I have to lay before your Lordship. I have indulged a strong hope that much benefit might be derived from its establishment, and am happy in being able to assure your Lordship that the whole of it might be carried into effect with the additional expence of £2,000 per annum.

Cost of proposed plan.

36. I have now only to express my fear that I have trespassed too much upon the attention of your Lordship, and yet failed in the due illustration of the topics I have ventured to discuss. I will not, therefore, detain your Lordship longer than merely to add that in the observations I have taken the liberty to make upon the judicial system of this colony, and in the plan I have humbly suggested to your Lordship for its improvement, I intreat your Lordship to believe that I have not been actuated by any selfish consideration of future personal advantage, but solely by a regard to the welfare of this remote and little known part of His Majesty's dominions, and from a conviction that the present

Bent's motives.

1811 charter of the colony does not sufficiently provide for the due  
19 Oct. administration of justice in such manner as the state and condition  
of the settlement require.

Lieutenant  
Ovens.

37. Lieutenant Ovens, of His Majesty's Seventy-third Regiment, who is proceeding to England, *via* China, in the ship Providence, is the bearer of this public letter to your Lordship, and from the situation he has held in the colony will be able to answer such questions relative to the state of this settlement as your Lordship may be pleased to ask. I have, &c.,

ELLIS BENT.

[Enclosure.]

Cases tried  
in Civil  
Court.

LIST of causes tried, amount of money sued for, and amount of verdicts recovered in the Court of Civil Judicature held at Sydney, in the territory of New South Wales.

Court.	When assembled.	When adjourned.	No. of causes tried.	Amount of money sued for.	Amount of verdicts recovered.	Amount of costs.
				£ s. d.	£ s. d.	£ s. d.
1	19 Mar., 1810..	6 April, 1810..	187	64,221 15 3	5,686 10 8	374 0 0
2	13 Aug., 1810..	11 Oct., 1810..	313	37,529 15 8	20,937 8 9	626 0 0
3	7 Jan., 1811..	5 Feb., 1811..	182	12,289 13 8	5,296 1 3	364 0 0
4	1 April, 1811..	30 April, 1811..	181	25,796 12 1	5,634 1 9	362 0 0
5	1 July, 1811..	30 July, 1811..	145	44,783 2 6	12,643 11 5	290 0 0
Total.....			1,008	184,570 19 2	50,197 13 10	2,016 0 0

Judge-Advocate's Office,  
Sydney, 19th October, 1811.

ELLIS BENT, J.-A.

#### GOVERNMENT AND GENERAL ORDER.

Head-quarters, Sydney,

Saturday, 26th October, 1811.

26 Oct.

Provost-  
Marshal.

HIS Excellency the Governor has been pleased to appoint William Charles Wentworth, Esq., to act as Provost-Marshall in the territory of New South Wales until further orders, in the room of George Thomas Palmer, Esq., who has sent in his resignation of that office. Mr. Palmer will, however, continue to officiate as Provost-Marshall during the sitting of the present Civil Court, and until after he makes up his quarterly accounts, on the 7th of the ensuing month of November, from which date only Mr. Wentworth will commence his duty as Acting Provost-Marshall; and Mr. Palmer is directed to deliver him over charge of the office, books, and papers on that day.

Macquarie's  
visit to Van  
Diemen's  
Land.

HIS Excellency the Governor intending to embark on board His Majesty's Colonial brig, Lady Nelson, on Wednesday next, the 30th instant, and to proceed immediately on a tour of inspection to the settlements on Van Diemen's Land, he directs that all

the usual reports and returns from the civil, military, and medical departments shall be made, during his absence from head-quarters, to Lieutenant-Governor O'Connell. 1811  
26 Oct.

The Governor being at present entirely occupied in making up and closing his public dispatches for England cannot see any person on duty or public business after Monday next.

GOVERNMENT PUBLIC NOTICE.

Secretary's Office, Sydney, 26th October, 1811.

In order to the doing away, as far as possible, all occasion for real or affected misunderstanding of the old established regulation respecting the hours to be employed at the public works by the various Government gangs at Sydney, His Excellency the Governor hereby desires it to be observed that the time of commencing work daily is at bell-ringing in the morning, and to continue from thence to eight o'clock a.m., at which hour work is to cease, and from thence to nine o'clock is allowed for breakfast and rest. Labour is again to commence at nine o'clock, and to continue till three o'clock p.m., at which time the work of the day ceases. On Saturdays work is to commence as on the other days, but no time is to be allowed for breakfast or rest until ten o'clock a.m., at which time the labour for Saturday ceases. Hours of  
labour.

By command of His Excellency the Governor,  
J. T. CAMPBELL,  
Secretary.

GOVERNOR MACQUARIE TO EARL LIVERPOOL.

Head-quarters, Sydney, New South Wales,

My Lord, 28th October, 1811. 28 Oct.

1. I had the honor of addressing your Lordship at full length on the occurrences of this Government on the eighteenth instant in a despatch which I sent by the ship *Providence*, *via* China, in charge of Captain Piper of the 102nd Regiment. Macquarie's  
despatches.

2. The ship *Providence* sailed from hence on the twentieth instant, and I now embrace the opportunity of the ship *Friends*, being about to sail shortly for England, to transmit to your Lordship the duplicate of that despatch.

3. The pressure of public business at this time, however, renders it impossible for me to transmit to your Lordship, by the present occasion, duplicates for all the papers or documents referred to in my despatch. Your Lordship will perceive that the general muster of free settlers and convicts referred to in the 20th paragraph, and the elevation of the hospital, referred to in the 14th paragraph of that despatch, are wanting in the present duplicate. The former, comprehending a great deal of writing and demanding much accuracy, will, I trust, induce your Lordship to excuse its not accompanying the despatch now sent in duplicate, and I shall Duplicates

1811

28 Oct.

Fees and  
charges.

avail myself of the earliest opportunity that may next occur to transmit it and the elevation of the hospital to your Lordship.

4. I have now the honor to transmit, for your Lordship's examination, a list\* of the fees and charges which I have sanctioned in the public departments of this Government. Some of them are inferior to what I found them, and some I have increased in a small degree, so as to bring the whole upon a fair and equitable footing. I deemed it necessary that these fees and duties should be thus revised and sanctioned by me, in order that the public might know the full extent of such demands as could be made in the respective offices to which they might be occasionally obliged to resort. I trust my motives herein, and the scale of fees itself, will alike meet your Lordship's approval and sanction.

Wentworth's  
memorial.

5. A memorial addressed to your Lordship by Mr. Wentworth, the Senior Assistant Surgeon on this establishment, has been put into my hands by that gentleman for transmission to your Lordship. As this memorial states facts perfectly within my own knowledge, and feeling that some remuneration is due to him for his steady and respectable discharge of the duties of Principal Surgeon, which he has performed from the period of Mr. Jamieson's return to England, I transmit his memorial, confiding in your Lordship's taking the circumstances into liberal consideration.

More chap-  
lains re-  
quired.

6. In a former despatch to your Lordship, under date the thirtieth of April, 1810,† I had occasion to observe that the widely extended and much increased population of this country rendered it an object of the utmost importance to provide suitable clergymen to officiate in the several districts. I then suggested that three additional chaplains appeared to me as absolutely necessary to be sent hither as soon as possible, and I also took an opportunity to recommend Mr. George Plunket Kerr,‡ who had lately taken Orders, to your consideration. This young gentleman was recommended to me by my Secretary, Mr. Campbell, and I am fully persuaded that he would not have asked me to recommend him to your Lordship's consideration if his character and acquirements had not been such as he represented them. In the event of this young gentleman not meeting your Lordship's approval, or of his having obtained some preferment at Home (which Mr. Campbell has some reason to think is the case) that might induce him to decline a chaplaincy to this country, I beg to submit to your Lordship's consideration the brother of my Secretary, who is at present curate of Caledon in the North of Ireland. This gentleman possesses a small private fortune, was educated in Dublin College, and stands well respected with his Rector, the Reverend Doctor Sturrock, Archdeacon of the Diocese of Armagh; and His Grace,

A chaplain  
recom-  
mended.

\* See Government and General Order of 12th October, 1811, ante, p. 566.

† An error: the allusion occurred in Macquarie's despatch of 27th October, 1810, ante, p. 441.

‡ The position was offered to Mr. Kerr, but refused by him.

the Lord Primate of all Ireland, to whose Diocese he belongs, I am well assured by my Secretary will, if your Lordship should require it, bear testimony to his character, learning, and various acquirements being such as to qualify him eminently for the sacred duties of his office in this country, should he be so fortunate as to meet your Lordship's approbation. His address I beg to add for your Lordship's information; it is, "The Reverend James Campbell, Caledon, Tynan (*sic*), Ireland. On the fullest assurance that this country would be materially benefitted by the appointment of such men as Mr. Campbell to the chaplaincies, I beg to recommend him in the fullest manner to your Lordship's kind consideration.

I have, &c.,

L. MACQUARIE.

[Enclosure.]

# MEMORIAL OF D'ARCY WENTWORTH.

Sydney, New South Wales, 28th October, 1811.

THE memorial of D'Arcy Wentworth, Esq're, Acting Principal Surgeon in His Majesty's territory of New South Wales,—

Most respectfully states:—

That on the departure of the late Thomas Jamison, Esq're, the Principal Surgeon on this establishment, in the month of February, 1809, the duty of that appointment devolved on memorialist, as the Senior Assistant-Surgeon in the settlement.

That memorialist hath continued to perform the arduous duties of that important and responsible situation, to the satisfaction of the Governor-in-Chief, and on all occasions to the best of memorialist's abilities; and memorialist was, therefore, led to hope that when his services in that department were considered he should be entitled to some remuneration, as had heretofore been the case in this colony when, in the absence of former Surgeons-General, the officer who performed the duty was allowed one-half of the pay of the Surgeon-General.

That memorialist, in a communication which has been made by order of your Lordship from the Honorable Cecil Jenkinson to William Chinnery, Esq're, is given to understand that the circumstance of Mr. Jamison being ordered Home by the Governor entitles that officer to the receipt of his full pay.

That memorialist humbly hopes this will not be an exclusion from the consideration of the local circumstances under which memorialist has acted, but that he may be permitted respectfully to submit to your Lordship the length of time memorialist has been in this country, comprehending a period of twenty-one years and upwards, together with his long and unremitting services to the colony during that time, in the faithful exercise and discharge of the duties he has been engaged in, as a favourable recommendation to your Lordship to direct such allowance to be made

1811  
28 Oct.

Wentworth  
acting as  
Principal  
Surgeon.

Expects  
extra pay.

Jamison  
receives full  
pay.

Wentworth's  
services.

1811 memorialist for his services as Acting Principal Surgeon from  
 28 Oct. the month of February, 1809, until the period of Mr. Jamison's  
 decease, as in your Lordship's judgment he may be worthy of.  
 And memorialist will ever pray, &c., &c., &c.  
 D. WENTWORTH, Acting Principal Surgeon.

CONTRACT WITH JNO. MOULD FOR MAKING POSTS AND RAILINGS  
 FOR THE DWARF WALL ROUND THE GOVERNMENT DOMAIN.  
 (Colonial Secretary's Papers.)

Sydney, 28th October, 1811.  
 Palisading. JOHN MOULD, carpenter, doth agree to put up and compleat eight  
 hundred and eighty-seven feet of palisading on the dwarf wall,  
 for Government, from the stone wall at Government House, to the  
 end of Bent street, and agrees to compleat the whole in a work-  
 manlike manner, for the sum of sixty pounds sterling.

Approved,—L. MACQUARIE. JOHN MOULD

*Contract endorsed, in Macquarie's handwriting :—*

Advances to contractor. "Memo.—29th Oct., 1811.—I drew an order on the Com'y for  
 twenty pounds st'g in favor of Jno. Mould in part payment of the  
 within contract.—L.M."

"22nd Jan'y, 1812.—Drew an order on the Com'y in favor of  
 Jno. Mould for twenty pounds st'g on account in part payment of  
 his contract.—L.M."

"28th March, 1812.—Drew an order on the Com'y for twenty-  
 one pounds fifteen shillings st'g in favor of John Mould, being  
 am't of balance due to him in full payment of his contract.—L.M."

"Settled finally this contract on the 28th March, 1812.—L.M."

LIEUTENANT-GOVERNOR O'CONNELL'S INSTRUCTIONS.  
 (Colonial Secretary's Papers.)

Government House, Sydney, N.S.W.,  
 30th October, 1811.

30 Oct. Sir,  
 Macquarie's visit to Van Diemen's Land. 1. Deeming it expedient for the good of the public service to  
 proceed immediately on a tour of inspection to the settlements in that  
 part of the territory of New South Wales called Van Diemen's Land,  
 and it being my intention to embark forthwith in my voyage thither  
 on board the Government Colonial vessel Lady Nelson, from which  
 period the command at head-quarters here will necessarily devolve on  
 you during the term of my absence, I, therefore, hand you the follow-  
 ing instructions by which you are to be governed until my return.

The Lieuten-  
 tant Gov-  
 ernor's  
 powers  
 during Mac-  
 quarie's  
 absence. 2. It is almost unnecessary to remind you that no grants or leases  
 of lands, houses, or town allotments, no pardons or emancipations,  
 no cattle or stock from the Government herds, can be given or  
 granted by you during my absence,—these rights and privileges  
 being vested exclusively in the Governor whilst resident in any  
 part of the territory or its dependencies.

3. No Civil or Criminal Court or General Court-Martial, can be ordered or assembled during my absence, for the same reason as specified in the foregoing article; and no officer, civil or military, can be permitted to leave the country during that absence.

1811

30 Oct.

Courts cannot sit.

4. No purchases of provisions, spirits (except such as have been already contracted for), or stores for the use of Government are to be made during my absence, unless very urgent occasion should render such a measure absolutely necessary. Slops being, however, at this time much wanted, Acting Commissary is to be permitted to purchase cloth for the purpose [of] making slops, provided a good opportunity for so doing should offer.

Purchases cannot be made.

5. No bills of exchange are to be drawn by you on the Lords Commissioners of His Majesty's Treasury during my absence, for the reasons assigned in the 2nd article of these instructions.

Bills cannot be drawn.

6. No new settlers, or their families or servants, are to be put on the stores during my absence. This instruction is the more necessary to be attended to, as those who might possibly apply for such indulgencies have no right or claim to them, those who had such a claim having been already placed on the stores by my orders.

Allowances to settlers.

7. You will also be so good as to be extremely cautious in giving victualling orders to any persons whatever during my absence, unless the persons in whose favour they shall be given shall be real objects of charity or confined on criminal charges, or called in to Government work.

Victualling orders.

8. You will also be so good as not to grant tickets-of-leave, or strike off the stores any of the Government mechanics or labourers employed in carrying on the public works, which at present require all the hands that can be procured both at the head-quarters and the subordinate settlements. On any particular emergency you are however at liberty to use your discretion in giving short passes or tickets-of-leave to meritorious or deserving persons.

Tickets-of-leave.

9. As it is probable you will have many applications from the prisoners and convicts who have been sent to hard labour at Newcastle for permission to return to Sydney, I must particularly enjoin you not to comply with such requests, it being my intention to leave them in regular rotation according to the time they have already spent there, combined with the favourable reports which I may receive of their conduct from the officer commanding at Newcastle.

Convicts at Newcastle.

10. In conformity with the tenor of the contract with Messrs. Wentworth, Riley, and Blaxcell, sanctioned by me on the part of Government for the erection of a new general hospital at Sydney, no spirits are to be permitted to be landed here, except such as those gentlemen may choose to purchase on account of that contract, or such as may be absolutely necessary for the purposes of Government itself, and in aid of the annual allowance usually made to the civil and military officers of Government.

The rum hospital.

1811

30 Oct.

The  
monopoly  
of spirits.

11. You will therefore please to bear in mind the nature and terms of this contract and not permit any spirits to be landed under any other circumstances than those above-stated. Messrs. Lord and Williams having a contract for supplying certain quantities of wheat, sugar, and spirits to Government, and Captain Barclay, of the ship *Indian*, having also a contract for certain quantities of sugar and spirits, as specified in their respective contracts, it will not be necessary for you to make any purchases of these articles from any other person or persons who may think fit to import them from India or elsewhere on speculation. When the wheat, sugar, and spirits enumerated in the two foregoing contracts shall arrive at this port, and also the spirits allowed by said contract to Messrs. Lord and Williams on their own private account, you are to grant permission on application in writing being made to you for the said wheat, sugar, and spirits, to be landed conformably to contract, a part for the use of Government and a part for the use of Messrs. Lord and Williams themselves.

Spirits for  
the officers'  
mess.

12. The officers of the 73rd Reg't having commissioned a quantity of spirits from Bengal for their own private use, and that of the general mess, to be imported by Cap. Barclay, of the *Indian*, you are to permit the said spirits to be landed, provided the quantity shall not exceed half a year's allowance, at the rate of fifty gallons per annum to each officer (which quantity is, in conformity with the conditions of the contract with Messrs. Wentworth, Riley, and Blaxcell), adding thereto the fifteen gallons due to each officer of the stipulated allowance for the current year. In this case you are to apprise the officers of the 73rd Reg't that they cannot be allowed to receive any more spirits in that way for the space of six months from the first of next January.

Officers'  
allowance of  
spirits.

13. As I mean to make a general issue of spirits to the civil and military officers out of the first arrival which may take place after my return, on account of that which is now due to them: you will please not to make any issue whatever on that account during my absence.

A cargo of  
spirits.

14. A ship called the *Ruby*, now lying in this port, and commanded by Cap'n Cripps, having brought a large quantity of spirits from Bengal, said to be intended for Messrs. Lord and Williams, in order to enable them to perform their contract with Government, but which spirits those gentlemen have declined receiving, in consequence of certain unauthorised conditions annexed to the agreement with Cap'n Cripps, which they feel bound in justice to themselves not to comply with,—I therefore apprise you of this circumstance, and enjoin you not to permit any part of the said spirits to be landed or bonded, unless application shall be made to you in writing by Messrs. Lord and Williams, expressly stating their willingness to receive said spirits, with a view to the fulfilment of their contract with the Government.

15. In the event of Captain Barclay either sending or bringing more spirits here than the contractors may choose to purchase, or more than the quantity for the off'rs of the 73rd, specified and limited in the 13th article of these instructions, you may permit the surplus to be landed and deposited in the Government stores until my return, or until the contractors shall judge fit to purchase it.

1811

30 Oct.

Surplus of  
spirits, if  
any.

16. You will please to direct that the public works now in progress, and the others lately planned and ordered by me, shall be commenced upon (according to a memorandum hereto annexed) and carried on to completion with the least possible delay. You will also give such orders respecting them as you may deem necessary to the heads of offices and departments, so as to prevent any delay occurring on their parts. In every other respect relating to the carrying on the public service, and the duties at Sydney and the out-settlements, you are to exercise your own judgment and discretion, issuing such orders and making such arrangements as you may judge most advisable.

Public  
works.

17. My present intention is to return to Sydney within two calendar months, to be reckoned from the time of my departure; but in case any accident should occur to the vessel on board of which I am about to embark, whereby I should be prevented from returning in the time I have proposed, and should my delay there be prolonged so far as to the 18th of January next, it is my instruction to you in that event that you will be so good as to despatch the Colonial Government vessel *Estramina* on that day (18th Jan'y) for Port Dalrymple, with orders to touch on her way thither at all the intermediate harbours and creeks along the coast, until she shall fall in with the *Lady Nelson*, or with me at sea, or in any of those harbours; and in case she should not fall in with me in any of those harbours or at sea, she is to proceed to Port Dalrymple and there obtain intelligence of me from the officer commanding at that station, with whom I shall leave orders for her immediate return hither to report the result of the voyage to you.

Macquarie's  
probable  
absence.

I have, &amp;c.,

L. MACQUARIE,  
Gov'r-in-Chief of New South Wales.

LIEUTENANT-COLONEL FOVEAUX TO UNDER-SECRETARY PEEL.

Sir,

London, 30th October, 1811.

I have had the honour to receive your letter of the 22nd inst't, acquainting me that the Earl of Liverpool cannot see any ground for continuing to me the salary of Lt.-Governor for the period mentioned in my letter of the 18th July last.\* I had flattered myself that an equal measure of indulgence would have been shown, after my long and, I trust I may say, not unfaithful or unmeritorious services in the colony of New South Wales, on the final relinquishment of the establishment of Norfolk Island,

Foveaux's  
pay.

\* Ante, p. 556.

1811  
30 Oct. as had been spontaneously directed for me by the Earl of Buckinghamshire when the first orders were issued for reducing the expense of that settlement. As the Earl of Liverpool does not see my case in so favourable a point of view as I had hoped, it is by no means my wish to be importunate on the subject. I have, therefore, now to request that His Lordship will be pleased to continue to me the salary of my appointment of Lt.-Governor to the date of my return to England, viz., the 22nd of October, 1810; or if there should not be any material objection, to the 11th of July, 1811, when I was informed by a letter from His Lordship that my services as a civil officer of the Crown would not be required in that country. I beg leave to observe that the agent of the colony requires His Lordship's special authority for any issue of my pay; that I received my salary of £450 a year previously to leaving England to the 7th Dec'r, 1807; that being on the establishment as Lt.-Governor, I embarked from hence to carry into execution the orders of Lord Castlereagh, dated 31st December, 1807; and that it will be evident, by the orders of Governor Macquarie, dated 4th January and 10th March, 1810, of which an extract and copy are sent herewith, that I continued to be actively employed by him in the civil affairs of the colony until my embarkation for England; and I returned with his strongest recommendation in my favour to succeed to a similar appointment on Van Dieman's Land.

He asks for arrears.

Foveaux's services.

I have, &c.,

J. FOVEAUX.

LIEUTENANT-COLONEL FOVEAUX TO LIEUTENANT-COLONEL GORDON.

9 Nov.  
Importation  
of spirits.

Sir,

London, 9th November, 1811.

Foveaux  
favours local  
distillation.

I have taken the liberty to submit a few observations on the subjects you were talking on concerning New South Wales. As to the importation of spirits on the present plan, it is a bad one. In the first place, the spirits become a monopoly of a few. It also takes out of the colony by strangers two-thirds of the floating cash; secondly, was there only a limited prohibition against distilling, it would produce a spirit of industry, when under the present system a settler has no other market for his grain than the supply wanted by the Government, and a small quantity for the shipping, which quantity is well ascertained; and should an agriculturist have a surplus, he has no means of disposing of it, which very often prevents the settler from cultivating so much ground as he otherwise would. The liberty of distillation would obviate that, and prevent the principle chances of famine, by the rich banks of the rivers alone being tilled, which are often overflowed, which is principally the case now; and it would raise a fund that would pay all the extraordinary expenses of the Colonial establishment, and it would not increase the excessive use of it. The very confined limits of the settlements would prevent the infringement of

the local regulations as to the quantity of grain to be so expended, and the duties would be levied with ease and certainty.

1811

9 Nov.

But the Governor ought to have full power to use his own discretion, and no spirits should be allowed to be imported but by his particular sanction; for, by that means, whatever advantages were to be reaped would be by deserving characters in the colony whom the Governor might approve.

The marines who were discharged on the New South Wales Reg't relieving them altogether failed in fulfilling the expectations formed of them. They sold the privileges allowed them. Indeed, the habits of old soldiers perfectly unfit them from making labourers; and unless a man does labour who takes a farm in New South Wales, or has property, he and his family must become a heavy burden on the colony. Should other marines be sent as a military force, they will expect, after a few years' service, the same indulgence, and the same result will ensue. The present military establishment of 1,100 effective men far exceeds the necessity; for when the large body of disaffected Irish were sent out the troops did not exceed 450 in all the settlements (tho' they were afterwards increased to 700), and were found perfectly adequate to keep order. All the then turbulent characters who now remain are become possessed of property, and have an interest in the welfare of the colony, and are no longer dangerous.

Old soldiers.

The military establishment.

I have, &c., J. FOVEAUX.

## CAPTAIN FLINDERS TO SECRETARY CROKER.

Sir,

London, 14th November, 1811.

14 Nov.

I have to request that you will be pleased to lay before my Lords Commissioners the following statement:—

Since the month of January, 1810, when their Lordships directed that the account of my late voyage in His Majesty's ship Investigator should be written and the charts completed and published, I have been assiduously employed in advancing the work, and, to that effect, have been obliged to remain in London.

Flinders busy with his book.

I was unwilling to trouble their Lordships with any application for an allowance to meet the increased expenses which this employment lays me under the necessity of incurring, so long as there was a hope that my half-pay, with such little additions as I could make to it, would be adequate to my support; but this, I find by experience, is impossible.

His expenses.

My time and best pains I dedicate, with pleasure, to the accomplishment of my arduous task; but the voyages in which I have been mostly engaged since the year 1791 having precluded me from the advantages frequently derived from prizes (the sum of £10 from the action of June 1, 1794, being the largest that ever fell to my share), I find it out of my power to go further without bringing distress upon my family.

Deprived of prizemoney.

1811

14 Nov.  
—  
Asks for  
extra  
allowance.

If their Lordships will also be pleased to consider that my present occupation cuts me off from any employment to which I might otherwise aspire, I trust they will see the justice of enabling me to live in the situation in which this occupation necessarily places me. The allowance of a marine surveyor, added to my half-pay, would accomplish this end, and it has not been unusual to continue marine surveyors in pay after their employment abroad had ceased, and until their charts were completed; and in one instance, if not more, the half-pay was continued also. The preparing my numerous charts and superintending the engraver is analogous to the employment of the marine surveyor; and I trust their Lordships will see that my present application to be allowed the same advantages is founded on justice and propriety.

I have, &c.,

MATT'W FLINDERS.

SECRETARY BARROW TO CAPTAIN FLINDERS.

18 Nov.  
Flinders to  
have £200.

Sir,

18th November, 1811.

Having laid before my Lords Com'rs of the Adm'ty your letter of the 14th inst, requesting that you may receive pecuniary aid while employed in preparing for publication the account of your late voyage in H.M. ship Investigator, I am commanded to acquaint you that their Lordships have given an order to the Navy Board for impresting to you the sum of two hundred pounds, which is to be carried to the debit of the work and included in the expense thereof.\*

I am, &c.,

J. BARROW.

LIEUTENANT-COLONEL FOVEAUX TO UNDER-SECRETARY PEEL.

28 Nov.  
Foveaux  
leaving  
England.

Sir,

London, 28th November, 1811.

Having received an appointment on the Irish staff, and being obliged to quit England immediately, I have respectfully to solicit an order for the payment of the salary due to me as Lt-Governor of Norfolk Island. The particulars of my claim I had the honour of presenting to you on the 29th of October last, and I now beg leave to state again.

Particulars  
of his claims.

The moiety of £450 p'r an'm from 7th December, 1807, to the 30th July, 1808, being the day on which I arrived at Port Jackson; the full salary from the 30th July, 1808, to the 10th March, 1810, being the day on which I embarked for England; and the moiety of the salary from the 10th March, 1810, to the 22nd October, 1810, when I arrived with Gov'r Macquarie's dispatches; or I trust you will think I have a just claim for the moiety of the salary being continued to me until the 11th July, 1811, when I received the Earl of Liverpool's letter notifying that I was no longer on the civil establishment of New South Wales.

I have, &c., J. FOVEAUX.

\* This £200 was in addition to Flinders's half pay.

JUDGE-ADVOCATE BENT TO EARL LIVERPOOL.

1811

Sydney, New South Wales,

30 Nov.

My Lord,

30th November, 1811.

In conformity with the wishes of His Excellency the Governor, I had the honor of addressing a letter to your Lordship, dated the 19th October ult'o,\* which I entrusted to the charge of Lieut't Ovens, of His Majesty's 73rd Regiment, who was proceeding to England, by the way of China, in the ship Providence, in which I endeavoured to draw your Lordship's attention to the situation of the judicial department of this colony, and to a plan drawn up, in concurrence with the Governor, for its amelioration. I now beg leave to forward to your Lordship a duplicate of that letter by the ship Friends, which is proceeding to England direct, and which is likely on that account to arrive before the original letter. In the event of your Lordship's deeming it expedient to recommend to His Majesty the adoption of some such plan as I have had the honor to point out in that letter, I trust your Lordship will not think that I presume too much if I humbly express my hope that I shall not be found unfit to fill the then more dignified and important station of the principal law officer of this colony. My anxiety on this head will, I hope, excuse my observing that the expectation (which I expressed in a letter to Mr. Cooke previous to my departure from England) that I should not be overlooked in any subsequent alteration of the judicial system of this colony, in some measure induced me to take upon myself the office of Judge-Advocate of this territory. That your Lordship may be the better able to judge whether I am deserving or not of the honor of such an appointment, I entreat permission to mention to your Lordship that in the earlier and more fortunate part of my life, I was a fellow commoner of St. Peter's College, Cambridge; that after the usual residence and examination, I was admitted to the degree of Bachelor of Arts, and since that time I have taken the degree of and am at this moment a Master of Arts in that University. Upon leaving college, I commenced the study of the law, and was admitted as a Fellow of the Society of Lincoln's Inn, by which I was called to the bar in 1805, so that I am now a barrister of nearly seven years standing. Until I had the honour of being appointed by Lord Castlereagh to the situation I now hold, I regularly practised the profession of the law, went the northern circuit, and was one of the senior barristers at the Cumberland Sessions. The testimonials I was at that time required to present at your Lordship's office will, I feel confident, be deemed perfectly satisfactory to your Lordship. In my conduct since my arrival in this territory, it has been my most anxious endeavour to restore confidence and introduce regularity, to prevent all extortion and unnecessary delay, to hear patiently, and to determine consistently and justly. In Ireland I am well

Bent's previous letter.

Asks for Judgeship.

Bent a Cambridge man.

University and legal training.

Conduct as Judge-Advocate.



no table of fees has yet come out, I have deemed it my duty to refuse taking any fee whatsoever on account of the exercise of those duties. While I mention these circumstances, I beg leave to suggest to your Lordship that every article and necessary of life bears here a most enormous price, and obliges me to live at an expence beyond my salary. I hope I shall, therefore, be excused if on these accounts I humbly request your Lordship to take into your consideration the propriety of increasing the salary at present attached to the situation I have the honour to hold, in doing which, I am sure, I need not suggest to your Lordship that I have given up, for some years at least, my country, my friends, and, for ever, the practise of my profession. I rely with the most perfect confidence on the liberality of His Majesty's Ministers, and will not further trouble your Lordship on this topic. I sincerely hope that your Lordship will not think the details I have felt myself obliged to enter into either tedious or impertinent. They are such as your Lordship must be conscious are of the highest importance to me. If your Lordship would also take into your consideration the very dependent situation in which a Judge-Advocate is placed by the very tenor of his commission, I can assure your Lordship it would be attended with the greatest advantage to the public, and enable me to go through the arduous duties of my office with much more satisfaction to my feelings and my conscience.

1811

30 Nov.

Judge in Admiralty.

Asks for increased salary.

I have, &c., ELLIS BENT.

LIEUTENANT OXLEY TO UNDER-SECRETARY PEELE.

Sir, 8, Queen-square, Westminster, 6th December, 1811.

6 Dec.

I trust you will pardon the liberty I am taking in again addressing you on the subject of my application to succeed Mr. Grimes. I am induced to trouble you on this occasion from a fear that it might have been represented that I was connected with Mr. McArthur, or others concerned in the late transactions in New South Wales. I respectfully beg leave solemnly to assure you that I am not any ways connected either with Mr. McArthur or his family or with any person at all implicated in that affair. I was in England at the period it happened, and did not arrive in the colony until the November following, and from that time I served under the personal command of Admiral Bligh, until the return of the ship to England last year; and I have every reason to believe that Adl Bligh was perfectly satisfied with my conduct during the time I served under his command. I humbly beg leave to refer to the letters of Admiral Hunter, Mrs. King (widow of the late Governor King), and to Capt. Kent, of His Majesty's ship *Agincourt*, who have kindly given testimony to the correctness of my conduct and character during the long period of years I served in that colony.

Oxley not a partisan of Macarthur.

References.

I remain, &c.,

J. OXLEY.

1811  
31 Dec.  
Shipping  
inwards.

## SHIPPING RETURN.

Report of Ships and Vessels Entered Inwards at Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of October to the 31st December, 1811.

Date of entry.	Name of the vessel.	Master.	Build.	No. of Tons. (Guns. Men.)	Where built.	Registered.	Name of the Owners.	From whence.	General Cargo.	Duty and Fees of Entry.
1 Oct.	Concord ..	Thos. Garbutt	British ..	150 818	Dartmouth	London	Alex'r Birnie ..	Seal Fishery ..	None.....	£ s. d. 2 0 0
1 "	Argo .....	Rich'd Brooks	Plantation 200 ..	28	Pegue ..	Calcutta	Hogue, Davidson, & Co.	Calcutta .....	General merchandise	288 12 3
1 "	Ruby .....	Thos. Cripps ..	" ..	240 40	Calcutta ..	"	Thos. Cripps .....	" .....	" ..	944 18 6
2 "	Admiral Gambier.	E. Sindrey .....	British ..	501 10 30	River Thames.	London	Buckle & Co. ....	London .....	" ..	593 9 11½
16 "	Friends ..	J. Ralph .....	" ..	329 14 24	"	"	John Howell .....	" .....	15 packages sund's landed, but afterwards re-shipped.	94 13 6
2 Nov.	Mangalore ..	T. Patrick .....	Plantation 398 10 50		Prize .....	Calcutta	Earl and Patrick ..	Calcutta .....	General merchandise	678 2 0
29 "	Sally and Mary.	C. Feen .....	" ..	130 1 18	Calcutta ..	"	S. Wills .....	Macquarie Island.	None.....	.....
10 Dec.	Favorite ..	A. Flak .....	American 158 4 16		America ..	"	G. Blazell & Co. ..	Derwent .....	" .....	.....
										2,605 16 2½

Wines and Spirits received in the colony of New South Wales, from the 1st day of October to the 31st December, 1811, viz. 1.—Argo—Rum (bonded), 14 casks, equal to 1,766½ gallons; wine, 4 casks, equal to 492 gallons. Ruby—Rum, 254 casks, equal to 80,242 gallons. Admiral Gambier—Rum, 7 casks, equal to 706 gallons; gin, 18 casks, equal to 2,800 gallons. Friends—Iltun, 5 casks, equal to 481 gallons; wine, 6 casks, equal to 680 gallons. Mangalore—Rum, 64 casks, equal to 7,900 gallons; wine, 4 casks.

Naval Office, Sydney, New South Wales, 31st December, 1811.

H. GLENHOLME, Naval Officer.

# SHIPPING.

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REPORT of Ships and Vessels Cleared Outwards from Port Jackson, in His Majesty's Colony of New South Wales, from the 1st day of October to the 31st day of December, 1811, viz. :—

## SHIPPING RETURN.

When cleared.	Name of the ship.	Master.	No. of		Build.	Where built.	Where registered.	Owners' Names.	Where bound.	General Cargo.	Clearance Fees.	
			Tons.	Men.							£.	s. d.
7 Oct.	Fredriok...	Alex'r Bodle...	240	13 30	Foreign ..	Prize.....	London	Wilson & Co. ....	Fishery .....	Ballast .....	0	5 0
13 "	Providence	A. Barclay ....	649	16 06	Plantation	Calcutta ..	"	Hugh Reid .....	China & London	" .....	4	9 0
21 "	Sally .....	R. M. Field.....	322	10 30	American ..	America ..	Boston ..	P. Amidon & Co. ...	Peegsee & China	" .....	0	5 0
21 "	Cato .....	J. Lindsay .....	186	17	Foreign ..	Prize.....	London	Alex'r Birnie & Co. ...	Fishery .....	" .....	0	5 0
21 "	Frederick and Maria	J. McNeelance	390	50	Plantation	Pegue ....	Calcutta	Alexander & Co. ...	Calcutta .....	" .....	0	5 0
26 "	Argo .....	J. Graham .....	200	28	" ..	" ..	"	Hogue, Davidson, & Co.	" .....	" .....	0	5 0
12 Nov.	Concord ..	T. Garbutt .....	150	8 18	British ..	Dartmouth	London	Alex'r Birnie & Co.	Marquise Island...	" .....	0	5 0
28 "	Admiral Gambier	E. Sindrey .....	501	16 39	" ..	River Thames	"	Buckle & Co. ....	Rio Janeiro and London	42,000 seal skins ..	4	19 6
28 "	Friends ..	J. Ralph .....	320	14 24	" ..	" ..	"	John Howell .....	" .....	Ballast .....	0	5 0
14 Dec.	Mangalore	T. Patrick .....	336	10 50	Foreign ..	Prize.....	Calcutta	Earl and Patrick ..	Calcutta .....	" .....	0	5 0
											11	8 6

Naval Office, Sydney, New South Wales, 31st December, 1811.

H. GLENHOLME, Naval Officer.

1811  
31 Dec.  
Shipping outwards.

1811

## SALARIES.

31 Dec.  
The Civil  
List.  
Sydney.

ESTIMATE of the charge of defraying the Civil Establishment of New South Wales, from the 1st January to the 31st December, 1811.

	£	s.	d.
Salary of the Governor ... ..	2,000	0	0
Salary of the Lieutenant-Governor ... ..	250	0	0
Salary of the Deputy Judge-Advocate ... ..	800	0	0
Salary of the Commissary... ..	365	0	0
Salary of the Provost-Marshall ... ..	91	5	0
Salary of the Secretary to the Governor ... ..	182	10	0
For stationery ... ..	20	0	0
Clergyman ... ..	350	0	0
Schoolmaster of the Orphan School ... ..	160	0	0
Matron to the Orphan School ... ..	40	0	0
Schoolmaster ... ..	60	0	0
Clergyman at Paramatta ... ..	260	0	0
Clergyman at Hawkesbury ... ..	240	0	0
Surgeon ... ..	365	0	0
One mate ... ..	182	10	0
Two mates, at £136 17s. 6d. per ann. each ... ..	273	15	0
Assistant ... ..	91	5	0
Surveyor of Lands ... ..	182	10	0
Additional salary to Mr. Grimes, Surveyor-General of Lands' in consideration of his meritorious services and of the great increase of the duties of his situation ... ..			
	182	10	0
Boatbuilder ... ..	91	5	0
Two Deputy Commissaries of Stores, at £91 5s. per ann. each ... ..	182	10	0
Two ad'l clerks to the Commissary, at £60 per ann. each ... ..	120	0	0
Mineralogist... ..	91	5	0
Two assis't storekeepers, at £50 per ann. each ... ..	100	0	0
Clerk to the Judge-Advocate ... ..	80	0	0
All'ce to Gov'r Phillip, in consideration of his meritorious services... ..	500	0	0
All'ce to Gov'r Hunter, in consideration of his long services ... ..	300	0	0
All'ce to Mr. Alt, late Surveyor-General, in consideration of his long services and of his infirmities ... ..	91	5	0
Allowance to Mr. White, late Surgeon... ..	91	5	0
Allowance to Mrs. Thompson, widow of the late Surgeon Thompson, in consequence of his long and meritorious services... ..	30	0	0
One superintendant of convicts ... ..	100	0	0
Two superintendants of convicts at £75 per annum each ... ..	150	0	0
Six superintendants of convicts at £50 ... ..	300	0	0
All'nce to the widow of the late Gov'r King, in consideration of the long and arduous services of her husband... ..	200	0	0

## Norfolk Island.

Norfolk.

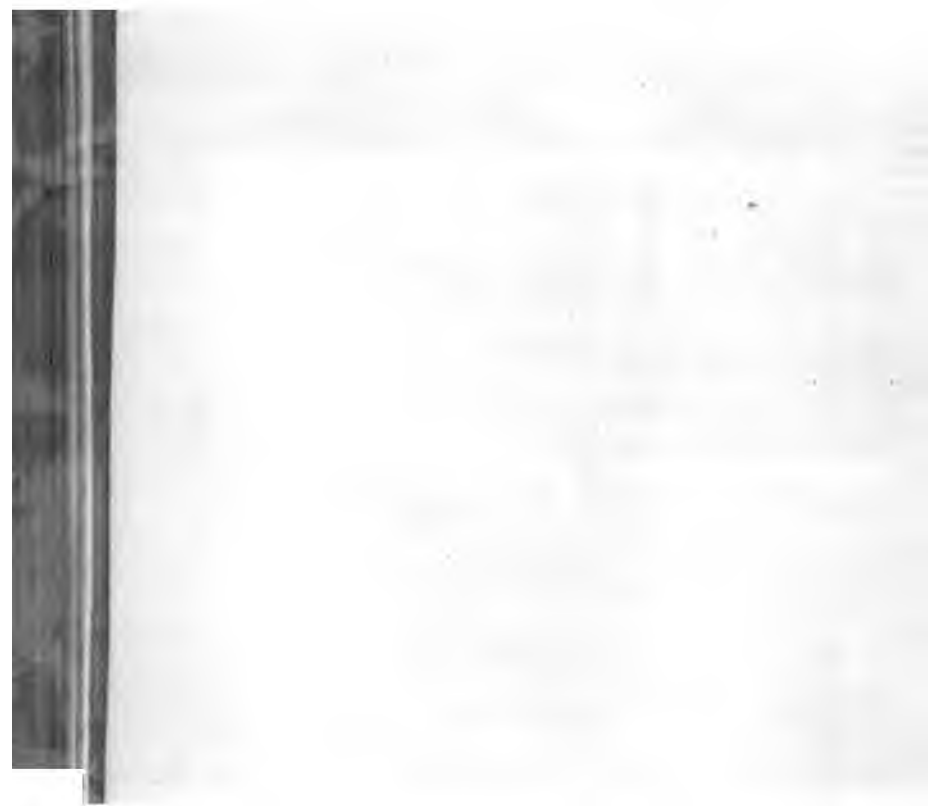
Lieutenant-Governor ... ..	450	0	0
Deputy Judge-Advocate ... ..	182	10	0
Clergyman ... ..	182	10	0
Surgeon ... ..	182	10	0
Deputy Commissary of Stores ... ..	91	5	0
Storekeeper ... ..	50	0	0
Three superintendants of convicts at £50 per annum each ... ..	150	0	0
One master carpenter ... ..	40	0	0
One beach-master and pilot ... ..	50	0	0

# ESTIMATES.

647

<i>Hobart Town.</i>						£	s.	d.	1811
Lieutenant-Governor	...	...	...	...	...	450	0	0	31 Dec.
Deputy Judge-Advocate	...	...	...	...	...	182	10	0	
Clergyman	...	...	...	...	...	182	10	0	Hobart
Surgeon	...	...	...	...	...	182	10	0	
1st Assistant	...	...	...	...	...	136	17	6	
2nd Assistant	...	...	...	...	...	91	5	0	
Deputy Commissary	...	...	...	...	...	91	5	0	
Deputy Surveyor of Lands	...	...	...	...	...	91	5	0	
Two superintendants of convicts at £50 per annum each	...	...	...	...	...	100	0	0	

<i>Port Dalrymple.</i>									Port Dalrymple.
Lieut.-Governor	...	...	...	...	...	450	0	0	
Deputy Judge-Advocate	...	...	...	...	...	182	10	0	
Clergyman	...	...	...	...	...	182	10	0	
Surgeon	...	...	...	...	...	182	10	0	
1st Assistant	...	...	...	...	...	136	17	6	
2nd Assistant	...	...	...	...	...	91	5	0	
Deputy Commissary	...	...	...	...	...	91	5	0	
Two superintendants of convicts at £50 per annum each	...	...	...	...	...	100	0	0	
Allowance upon account of fees for receipt and audit...	...	...	...	...	...	300	0	0	
Agent	...	...	...	...	...	150	0	0	
						<u>£13,308</u>			15 0



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